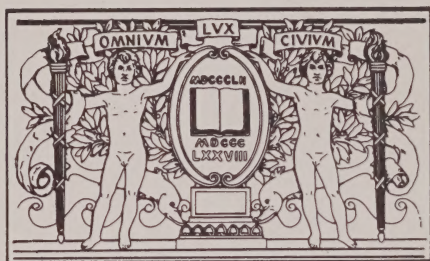


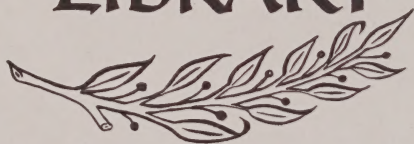
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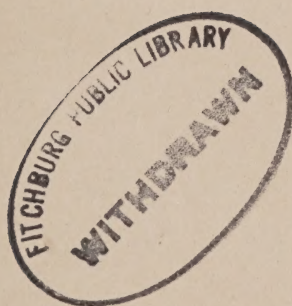


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NORTH AMERICAN REVIEW.

No. CXX.

JULY, 1843.

ART. I. — *An Oration delivered at the Celebration in Philadelphia of the 106th Anniversary of the Birthday of THOMAS PAINE ; by JOHN ALBERGER. Philadelphia. 1843.*

To dig from an almost forgotten grave the intellectual character of Thomas Paine, the object of violent obloquy during life, and of contumely after death, may not be without its uses in these our times. It may be done now without offence ; it may be done, we think, without injustice ; without offence, — for we are not aware of the existence of any man, woman, or child, any men or set of men, whom criticism on such a theme can wound. Many a teacher of pernicious doctrine has, by the purity of his domestic and social relations, left behind him a sort of protective character. There are surviving relatives and friends, or those who know surviving relatives and friends, who disarm even just criticism, and, standing around the grave, claim pity for themselves, if not for the poor inhabitants below. But Paine had none of these. He was childless, and friendless. Nor is there a human being in this wide world, we verily believe, who cares a jot for him or his memory. There was, perhaps, to use one of his own phrases, something like “ sentimental union ” between him and the sparse congregation of freethinkers who looked to him in life as an oracle. But it was a “ sentimental union ” in its strictest sense. There were a few, who, when he died, regarded him as a sort of

martyr. But the affection or sympathy of such a class scarcely deserves the name. The heart where it dwells is hard and bony. It has no play, no warm life-spring. There is, in pathological phrase, with such folks, a perpetual determination of blood to the *head*, leaving the sources of feeling and true sentiment dry. No offence, therefore, can be given, even by harsh criticism, if it be deserved.

It may be done, too, without injustice. The time has long since gone by, when the name of Paine would throw good and pious men into paroxysms of indignation. No one nowadays reads "*The Age of Reason*," such is the entire and contemptuous oblivion into which it has fallen; nor would any one take the trouble to mutilate a copy of Paine's Works, as was once the fashion, by cutting out his pages of loathsome infidelity. Revealed religion has too firm a hold on the mind of this age to be weakened by such cavils as Paine's, or to be strengthened by the answers of his adversaries. The Christian's faith has truly begun to be "something far higher, something that lies far deeper, than any mere act of the understanding"; and that something is too secure to be enfeebled or wounded by sneering sophistry, or much invigorated by logical processes. If Paine, or any other infidel, rendered, in any mode or to any extent, service to the cause of liberty or morality, if any one of his fugitive essays, at the time of its publication, made the pulse of patriotism beat more quickly, or awakened any slumbering sense of public duty, there is now no such blinding prejudice as to make us reluctant to admit our obligation, be it what it may, to its full extent. His character may, therefore, be treated with entire impartiality; we repeat it, without offence and without injustice.

And what a strange and eventful career was his! As a little incident of history, how much varying interest was crowded into his life! All climes, regions, habits, and institutions were Paine's by adoption; and yet, such was the strange uncongeniality of his temper, with none did he seem to claim communion. He was a citizen of the world, and, of course, alien to every part of it. Born in Great Britain, he was an exile, and, literally and technically, an outlaw; naturalized in America, he renounced her moderate republicanism for the exaggerations of French democracy; a citizen of France, one of her august Counsellors, he be-

came *ex officio* an inmate of the *Conciergerie*, and was glad, not grateful, to escape with his head upon his shoulders ; buried in an American village, the grave, usually a quiet home, was violated, and the bones of the restless cosmopolite were exhumed and carried abroad, in solemn mockery of the relics of holy men of old.

In respect to America, we have a right to cause her share in this fluctuating property to be accurately defined ; and one object we now have in view is, without at all derogating from the actual value of Paine's services during the Revolution, to mark their worth very precisely, and to correct a prevalent notion, which in life he was anxious to cultivate, that he was by common consent regarded as a great benefactor to America, and that, as connected with our Revolutionary history, we Americans entertain cordial feelings towards him. There is now before us a letter from Paine, written on his return to America, in 1802, and republished in a British periodical, in which this absurd specimen of self-glorification is contained. " I arrived at Baltimore on the 30th of October, and you can have no idea of the agitation which my arrival occasioned. From New Hampshire to Georgia, (an extent of fifteen hundred miles,) every newspaper was filled with applause or abuse."

There are those living who remember " the agitation " of that day, and we shall have occasion hereafter to recur to the circumstances of his return to America, and to see what contemptible exaggeration of his own importance those lines embody. The truth is, that Paine came back a poor pensioner of party, an outcast from abroad, an illegitimate Jacobin, and assumed the congenial trust of a contributor to a ribald press, for which office — and those who employed him knew his qualifications — he was admirably fitted. Yet we doubt not that there are those abroad, and at home too, who may be deceived by such pompous mendacity as this, and may be led to believe that Paine really was one of the great men of the Revolution, and that when, in old age, he returned to the land which, in early life, he had, in a very limited measure, benefited, the public voice spoke cordial welcome, and the popular mind was moved to ecstatic gratitude. There are those, too, who may be very willing to believe, that the American canon admits such saints, and that Paine, the infidel, the scoffer, the libertine, the drunkard, and,

worse than all perhaps in anti-republican judgment, the stay-maker, was just the man for our savage, vulgar democracy to be proud of. Far, very far, is this from the truth.

It has always been with us matter of grateful wonder, that the American Revolution was so little contaminated by the coöperation of unworthy men, and especially of unworthy foreigners. It was a great popular movement, which attracted attention and awakened sympathy throughout the civilized world. A continent in arms against oppression was an imposing and attractive spectacle. The oppressor, too, was England, towards whom Continental Europe bore no love, and from whose government and ministry many Englishmen were alienated. There were, in a revolution, new avenues to honor and emolument, which one might naturally suppose would soon be crowded from abroad. Yet how few came hither, and, with the exception of French military adventurers, how exclusively were the ranks of our armies and the halls of our councils filled with those who were born on the soil, or who were domiciled here before the war began! There was, in truth, as we perceive when we come to look more closely, a reason why sympathy from abroad, otherwise so natural, in this case met with some check. The Revolution, dating its commencement long prior to actual hostilities, was very gradual. From 1763 to 1774, it was a matter of grave, deliberative remonstrance and reasoning. There were professions of loyalty, — not such as the Scotch Covenanters and the Long Parliament made to Charles the First, with arms in their hands, ready and willing to seize what might not be conceded to them, — but professions earnest, sincere, and pacific, made by legislative assemblies and peaceful congresses, striving to convince Metropolitan authority, that its pretensions were unconstitutional. The Revolution was no affair of the barricades, of an infuriate, outraged populace rising suddenly to revenge. It was (thank Heaven!) no brigand revolt, no revolution of squatters, who, planting themselves on lands which belonged to others, raised the standard of rebellion, and solicited the kindred aid of all fugitives from justice throughout the world. What fellow-feeling could there be between an English radical, — assuming the breed to have been the same then as it is now, — a reviler of kings and queens, lords and ladies, *per se*, and any one of the leaders of our peaceful, deliberative

Revolution? How dilatory would the process of revolt, as it was exhibited in this country, have seemed to the self-sufficient reviler of all established institutions! How nauseous the professions of loyalty, which, till forbearance ceased to be a virtue, were sincerely uttered from the most patriotic lips! Any one who will read Dr. Franklin's correspondence whilst in London, prior to 1774, will see how different his associates were, and how rarely he was approached by men of the stamp which we have referred to. The "friends of America," too, in Great Britain were not of the radical order, though the radical party, by virtue of its hostility to the minister, were so far friends of America. Lords Camden, Chatham, and Shelburne, the Marquis of Rockingham, the Duke of Richmond, Burke, Fox, and General Conway, were "friends of America," her advocates and steady defenders; but it was oppressed, not revolutionary, America which they defended, and radicalism saw in their proceedings few inducements to sympathy.

In Continental Europe, there was of course no occasion for sympathy, till actual hostilities commenced; and then the prevalent anxiety to serve America was, with one great exception, little else than a love of military adventure; and the foreign officers who came hither were Dalgettys somewhat etherealized, in whom a love of adventure and a love of pay were strangely blended. Excepting this attraction, Anglo-Saxon, Puritan America not only had no bond of union with France, but there was a positive antipathy between the inhabitants of the two countries. We have heard it from the lips of a venerable survivor of those days, a Frenchman by birth and early education, who came to this country as a military adventurer in 1778, and who yet lives honored and beloved amongst us, that on his arrival in this country the greatest difficulty he encountered was the prejudice against his country and his language.* And it was very natural it should be so; for the only civilized enemy Colonial America had ever known was France, and the bloody alliance of Montcalm and Dieskau with the savage frontier tribes was too recent to be forgotten. The difference of national religion was also operative. The love of

* We may be pardoned for naming the venerable Mr. Du Ponceau, of Philadelphia.

adventure conquered all these minor obstacles ; but national and natural sympathy, as we have shown, never did and never could exist, and the want of it was constantly felt. As early as May, 1777, Washington thus described the prevalent state of feeling on this point, in the army at least, and his language was, we imagine, a pretty faithful exponent of the feeling throughout the country. "These foreigners," says he, in a letter to Richard Henry Lee, "have no attachment nor ties to the country, further than interest binds them ; they have no influence, and are ignorant of the language they are to receive and give orders in ; consequently great trouble or much confusion must follow. But this is not the worst ; they have not the smallest chance to recruit others ; and our officers think it exceedingly hard, after they have toiled in this service, and probably sustained many losses, to have strangers put over them, whose merit perhaps is not equal to their own, but whose effrontery will take no denial."*

The truth is incontestable, and we mean only to state it, that the Revolution was *our own*, — and such is our pride in this distinction, that we sometimes feel a shade of regret, as a matter of historical association, at even the French alliance ; for we are confident that, although the contest would doubtless have been prolonged, and have been more sanguinary, had Rochambeau and his soldiers never landed on our shores, the result would have been the same, with no one to claim a share of the honor.

But to return to Paine, and his Revolutionary services, which it is almost absurd to mention in the same breath with the French alliance, and the aid actually rendered by the Frenchmen ; we repeat, that we choose to define accurately these relations, if it be only as a matter of historical curiosity.

Thomas Paine, the child of humble, though respectable parents, was born at Thetford, in the county of Norfolk, England, in the year 1737. His father was a member of the Society of Friends, and, it is believed, held steadfastly to the tenets and discipline of that exemplary sect. His mother was an Episcopalian. In this difference of opinion between his parents, some of his biographers have seen the cause of his early skepticism. The memorials of his early

* Sparks's *Washington*, Vol. IV. p. 424.

life are too few to enable either friends or enemies to form any satisfactory conjecture as to the source of his opinions, which, if we are to believe his own testimony, germinated early in his restless mind, and never left it during life. As a matter of mere feeling, we would gladly adopt the theory we have referred to ; for, as the experience and observation of all will show, hazardous in the extreme is the spiritual condition of that child, who, at the age of levity and thoughtlessness, sees no devotional concord in those to whom he looks for guidance, or hears nothing from their lips but the bitter words of that worst of domestic evils, family polemics. The cultivation of the devotional principle in the childish mind is the highest and most delicate trust a parent ought to know. It may be deadened by rigorous exaction, as we too often see in the children of the most pious. It may rot away by utter neglect, and for want of the fostering care which a judicious parent can alone bestow. But, more than this, it may, in the mysterious process of mental development, produce bitter and poisonous fruit, when it is tortured and perplexed by the differences of those who, in its culture, at least, should agree. Momentous indeed — let the example about to be illustrated enforce the precept — is the responsibility of parents thus situated !

Be the cause what it may, Paine was, according to his own story, an infidel in the nursery. We quote his own awful language, in which he records his recollections of boyhood.

“From the time I was capable of conceiving an idea and acting upon it by reflection, I either doubted the truth of the Christian system, or thought it to be a strange affair. I scarcely knew which it was, but I well remember, when about seven or eight years of age, hearing a sermon read by a relation of mine who was a great devotee of the Church. After the sermon was ended, I went into the garden, and, as I was going down the garden steps, (for I perfectly recollect the spot,) I revolted at the recollection of what I had heard, and thought to myself it was making Almighty God act like a passionate man, that killed his son when he could not revenge himself any other way ; and, as I was sure a man would be hanged that did such a thing, I could not see for what purpose they preached such sermons. This was not one of those kind of thoughts that had any thing in it of childish levity. It was to me a serious reflection, arising from the idea I had that God was too good to do such an action, and

also too almighty to be under any necessity of doing it. I believe in the same manner to this moment; and I moreover believe that any system of religion, that has any thing in it that shocks the mind of a child, cannot be a true system.”—*Age of Reason*.

And what a dismal retrospect is this! The old man of sixty—for such he was when these sad words were written—travelling back in memory to the hours of infancy, and persuading himself that, at the age of seven years, he was a reasoning infidel! The boy standing upon the garden steps, with the flowers and the singing birds around him, with the sound of familiar prayer in his ears, “seriously reflecting” on thoughts of blasphemy! And fifty years afterwards, the childless, friendless man, who never knew the softening influence of domestic relations, amid scenes of blood and carnage at which even his heart, cold as it was, must have sickened,—for he wrote his “*Age of Reason*” in Paris, in the midst of the Reign of Terror, with overpowering proofs of man’s depravity before his eyes,—boastfully recording his persevering, obdurate skepticism of all in God’s written word, which could not be compassed either by his childish or his matured intelligence! The story of Brutus immolating his children at the shrine of patriotism, and looking on with calmness as the axe of the Republic shed their blood, was a tale of classic verity, and involved no mystery to his illuminated mind. Man’s severe justice and man’s bloody atonement were easily comprehended. But all that God mysteriously ordained, and all that God’s Son was ready to undergo, the incarnation of his spirit, and the self-sacrifice of the mortal frame in which it was incarnate, amid the scoffs and gibes of railing infidels, was scornfully denied as false, because incomprehensible to one who was hourly beholding what to us seems the greater mystery of the forbearance of Omnipotence towards the bloody butchers of revolutionary Paris, Paine’s friends and fellow-laborers, and fellow-infidels. To us it seems to be a libel on childhood to assert such precocious blasphemy; but if it be not, and Paine the old man told the truth of Paine the boy, then is it no exception to the fact proclaimed by the poet, that the child was father of the man; and the brazen links of infidelity which bound his years together were never disunited.

Paine’s life, till he attained the age of thirty-seven, had no

other variety than a constant succession of occupations gave it. A journeyman and master stay-maker, a privateersman, a store-keeper, a tobacconist, a schoolmaster, and an excise-man, to no pursuit was he able or willing steadily and industriously to adhere. In his official career, of whatever kind, he was singularly unfortunate, both before and after his emigration ; for while in America, as will be seen, he forfeited the confidence or incurred the displeasure of his Republican employers, in England he was twice, for some unexplained reason, dismissed from the Excise. To do Paine justice, however, we are free to admit, without attributing to him any actual official delinquency, that the Excise may easily be supposed to have been an uncongenial pursuit for one who could set no example of self-denial to deter violators of such laws, and whose tendencies were to sympathize with those whom its oppressions and restrictions most directly affected. When poor Burns took refuge in the Excise, he described it as an occupation in which honesty was a rare quality. "For the ignominy of the profession," says he, writing to his friend Mr. Ainslie, "I have the encouragement which I once heard a recruiting sergeant give to a numerous, if not a respectable audience in the streets of Kilmarnock ; 'Gentlemen, for your further and better encouragement, I can assure you that our regiment is the most blackguard corps under the crown, and consequently, with us, an honest fellow has the surest chance of preferment.' " Paine and Burns, we have a right to assume, were not exactly the men to withstand temptation in such a course of life ; and it is at least within the range of reasonable probability, that other causes, besides the vindictive antipathy of the government to a pair of democratic gaugers, may have led to their dismissal from public service.

In his domestic life, Paine was liable to darker and more reasonable suspicions. Twice married, whilst in Great Britain, his first wife died within a year after marriage, and from his second, Frances Ollive, an exemplary and religious woman, he was in a short time separated. Without speculating on minute causes, or even asserting a truth which all observation authorizes, that, when man and wife without any assigned cause separate, the fault is with the husband, it is enough to know that there was a strange uncongeniality in Paine's temper, which denied him all affectionate commun-

ion with persons of either sex ; and we can easily imagine, without supposing that immorality was the source of difficulty, how dissonant and ill assorted that union must have been, where the wife's humble, though perhaps ascetic, piety was placed in daily contrast with the husband's scoffing, intolerant infidelity. He never married again ; his old age was that of desolate, childless solitude.

In 1774, Paine emigrated to America. His friends and admirers have assumed, that it was Paine's sympathy with a struggling and oppressed people which led to this step, and have asserted that Dr. Franklin's countenance was given as to one who had already attracted attention as a writer, and who, he thought, might aid the cause of freedom with his pen. To us it seems far more probable, that he emigrated to America as many clever foreigners now daily do, because he was out of employment at home, and it is very absurd to dignify the act with any higher motives. Paine had written a pamphlet on the Excise System, and a few newspaper squibs in poetry and prose, but had done nothing to attract attention or acquire reputation as a writer ; and Franklin's brief and characteristically cautious letter, in which he introduced him to his son-in-law, Mr. Bache, shows that no very exalted expectations were entertained by him of the abilities or usefulness of the stranger.

"London, 30 September, 1774.

"DEAR SON,

"The bearer, Mr. Thomas Paine, is very well recommended to me as an ingenious, worthy young man. He goes to Pennsylvania with a view of settling there. I request you to give him your best advice and countenance, as he is quite a stranger there. If you can put him in a way of obtaining employment as a clerk or assistant surveyor, (of all which I think him very capable,) so that he may procure a subsistence, at least, till he can make acquaintance and obtain a knowledge of the country, you will do well, and much oblige your affectionate father,

"B. FRANKLIN."

In the autumn or winter of 1774, Paine arrived at Philadelphia, where, it seems, he contemplated the establishment of a female seminary. Being led accidentally to form a union with the proprietor of a periodical publication, which had just been commenced, he relinquished this design, and became, in a small way, a regular contributor to the press.

We learn these facts from the first, if not the only authentic account of Paine's early career in America, contained in a letter written, in 1809, by Dr. Rush to Cheetham, then about to publish a biography of Paine. His contributions in poetry and prose to the magazine are said to have been very popular, though, from the specimens which have survived, and those, too, the most extravagantly praised, we confess our utter inability to discover the merit which extorted such praise. Take, for example, the "Song," as it is called, on the "Death of Wolfe," in which a paltry conceit, of Jupiter snatching General Wolfe from earth to fight his battles against some celestial rebels, is rendered in tripping Bacchanalian metre, like the following, for example, — though we crave our readers' pardon for quoting such trash.

"The Sons of the East, the proud giants of old,
Have crept from their darksome abodes,
And this is the news, as in Heaven it was told,
They were marching to war on the Gods.
A council was held in the chambers of Jove,
And this was their final decree;
That Wolfe should be called to the army above,
And the charge was intrusted to me.
To the plains of Quebec with the orders I flew,
He begged for a moment's delay,
He cried, 'O, forbear! let me victory hear,
And then thy command I'll obey.'
With a darksome thick film I encompassed his eyes,
And bore him away in an urn;
Lest the fondness he bore to his own native shore
Should induce him again to return."

Dr. Rush must have been a better judge of pills than of poetry, if he sincerely praised such stuff as this. The reflections in prose on the death of Lord Clive are conceived and expressed with power, and occasionally with a coarse sort of eloquence. We refer to these two productions, because they are cited by his biographers as those which, by their peculiar merit, first attracted attention.

We come now to Paine's participation in revolutionary scenes. The history of the city of Philadelphia, then the colonial metropolis, faithfully written, during the year 1775, — or rather from the receipt of the news of the Boston Port Bill, in May, 1774, till the Declaration of Independ-

ence, — would be full of interest to the student of our history. The first and second Congress sat during that interval, and there was a curious action and reaction of political opinion in the city and the immediate neighbourhood, which might easily be traced. The population of Philadelphia, in political sentiment, was divided into a great variety of classes. The leaders of each were men of high merit and influence. Dickinson and Reed, Thomson, McKean, Morris, Clymer, Biddle, Mifflin, and others, were all active, and, though differing as to means and time, all influential with their respective friends in the popular ranks. There was, too, a loyalist party, led by Mr. Galloway, sustained by the whole proprietary interest, and strengthened by the peaceful principles and example of the society of Friends, who, openly and without reserve, almost without exception, individually and by accredited organs, deprecated all popular excitement, and exhorted an oppressed people to submit. The mantle of the first Proprietary, the friend of James the Second, had descended without a rent on the Quakers of 1775. The influence of such dissuasives was naturally great. When the interested dependent on proprietary or royal authority proclaimed obedience as his tenet, and submission as his rule of life, — when the importer of British goods, unwilling to lose the profits of trade, refused to consider commercial non-intercourse as a means of obtaining redress, — when the minister of the church, whose liturgy commemorated the 30th of January as the anniversary of a martyr's death, exhorted his flock to "submit to every ordinance of man," — it was easy to attribute other than pure motives to the utterance of opinion. But when the ancient, and venerable, and disinterested Friends, men of pure and unspotted lives, independent of all political association, as well of metropolitan as of colonial government, born on the soil, — whose ancestors had laid deep the foundations of all the institutions of charity and beneficence, in which the community had so much right to glory, and who themselves sustained them, — when such as these uttered earnest admonitions to peace and submission, no one could doubt the purity of their motives, nor was it easy to resist the power which their sincerity gave to all they uttered. We profess no concurrence with the doctrines promulgated by the Friends at the outbreak of the Revolution, but looking back on what they said and did as a mere mat-

ter of history, we are not disposed to question their honesty, or to denounce as traitorous their testimony to what they believed to be religious truth. Admitting freely this purity of intention, we can conceive how deeply such language as that in which, in 1775, the Quakers of Philadelphia addressed their brethren must have sunk into the public mind, and how materially their influence may have retarded the popular movement. "It hath ever been our judgment and principle, since we were called to profess the light of Christ Jesus, manifested in our consciences unto this day, that the setting up and putting down kings and governments is God's peculiar prerogative, for causes best known to himself; and that it is not our business to have any hand or contrivance therein; nor to be busy-bodies above our station, much less to plot and contrive the ruin or overturn of any of them; but to pray for the King, and safety of our nation, and good of all men; that we may live a quiet and peaceable life, in all godliness and honesty, under the government which God is pleased to set over us." This is error, gross error of doctrine, but, in its unquestioned honesty, to many it seemed like truth, and had, more or less, the influence of truth. But on the other side was the whole body of the Presbyterians and Congregationalists, and their clergy, a body of men of high attainments and vigorous intellect, who, without exception, and with equal sincerity, were strenuous in promoting the popular excitement; who saw both their interest and duty in doing so, and looked to the dismemberment of the British empire by the independence of the colonies, as what they supposed would be a fatal blow to the British hierarchy.

In this scene of party strife and conflicting opinions, the Continental Congress, the Provincial Assembly, and the various revolutionary conventions met. And it was for a community thus agitated and excited, that Paine published his celebrated pamphlet, called "Common Sense." "It bursted from the press," says Dr. Rush, in his letter to Cheetham, "with an effect which has rarely been produced by types and paper in any age or country." Such is the testimony of Paine's friend and patron, after the lapse of more than thirty years, and we are not prepared, though marvelling somewhat at the hyperbolical form of the statement, to question its accuracy. It is very manifest, however, that the success

of the publication was mainly attributable to its being exceedingly well timed. That this was so, no one, we think, can dispute, who will at this day calmly and without prejudice read the pamphlet; and that even his contemporaries on the popular side thought so can easily be shown. In the "Memoirs of Bishop White" is the testimony of that venerable man, who, though one of the priests,* was true to his allegiance to our republican institutions. "Great Britain," says he, "threw us out of its protection, independently of all other measures, by what was called the Prohibitory Act, passed in November, 1775, authorizing the seizure of all vessels belonging to persons of this country, whether friends or foes. The act arrived about the time of the publication of Paine's 'Common Sense.' Had the act been contrived by some person in league with Paine, in order to give effect to his production, no expedient could have been more ingenious. To a reader of that flimsy work at the present day, the confessed effect of it at the time is a matter of surprise. Had it issued six months sooner, it would have excited no feeling except that of resentment against the author. But then had come a crisis, which the foremost leaders of American resistance were reluctant to realize to their minds."

Here the perplexity of the modern reader of Paine's ephemeral writings is truly stated. If "Common Sense" be judged by any ordinary standard of criticism, it is beneath praise; but if the reader will place himself in the relation to all those about him in which the readers of it in January, 1776, were, he can be made to understand the power and effect of this lucky pamphlet. The Colonies were made independent on the 19th of April, 1775, though they hardly knew it. Bunker Hill, Ticonderoga, Montreal, Quebec, had all been witnesses of daring independence and successful resistance. The people had been declared rebels, and put beyond the pale of the law, not, as Bishop White supposes, by an act of Parliament in November, but by the King's proclamation of the 23d of August, 1775, issued, to quote its own threatening language, "to bring to condign punishment the authors, perpetrators, and abet-

* Paine and his friends always made it a boast, that he was persecuted by the priests, meaning thereby the Christian clergy of all denominations.

tors of such traitorous designs." From June, 1775, Washington's rebel soldiers had kept all the colonial forces of the mother country within the lines of Boston, and were now about to witness their inglorious flight. The thought of independence was in the mind of every one who thought of the morrow; it was in the minds of all, either as matter of hope or fear. Months before "Common Sense" was dreamed of, a New England woman had written to her husband the words which once were thought so startling; "Let us separate; — what signifies a word?" And, besides all this, the public mind was agitated by the very suppression of these well ascertained opinions, — by councils held in secret because the issue was doubtful; and all the institutions of social life were looked to, as they must always be in an infant revolution, not as fabrics standing securely for protection, but as the possible means of destruction. It was the scene of the earthquake, when out of doors is safest. In Paine's own language,

" — without law, without government, without any other mode of power than what is founded on and granted by courtesy, held together by an unexampled concurrence of sentiment, which is nevertheless subject to change, and which every secret enemy is endeavouring to dissolve, — our present condition is legislation without law; wisdom without a plan; a constitution without a name; and, what is strangely astonishing, perfect independence contending for dependence. The instance is without a precedent; the case never existed before, and who can tell what may be the event? The property of no man is secure in the present unbraced state of things. The mind of the multitude is left at random, and, seeing no fixed object before them, they pursue such as fancy or opinion presents. Nothing is criminal; there is no such thing as treason; wherefore every one thinks himself at liberty to act as he pleases," &c.

In this state of anxiety, and apparent, rather than real, indecision, Paine's pamphlet appeared, — its pages boldly avowing the secret opinions of every thinking man, and proclaiming as desirable what all knew to be inevitable. There should be no wonder that its effects were apparently so great.

It is a pamphlet of not more than fifty pages, — brief enough to be widely circulated, and written in a style of homely eloquence suited to every comprehension. It is di-

vided into two parts, one an appeal to popular feeling against monarchical institutions all over the world, a diatribe against kings and queens and prelates ; the other, an argument in favor of independence, and of the ability and means of the Colonies to maintain a separate existence. There is in the former all the usual *slang* which can be uttered on such a theme, from which every reflecting mind in its sober moments revolts, though it is suited to the excited appetite of a revolutionary populace. It consists of reasoning from the elementary principles of society to its present complicated relations and condition, — the poor sophistry which, asserting the incontestable truth that all men are by nature free and equal, infers that there can be no state of society so artificial as to require distinctions of rank, and to need the control of what is known as absolute authority. The mind of the sober and reflective republican has no difficulty in seeing through this poor sophistry. For ourselves, without claiming any other merit than that of sincere and conscientious devotion to our popular institutions, we are not foolish enough to deny, that there may be, and are, states of society in which democratic institutions are impracticable, or, if practicable, would be pernicious. A Muscovite, an Austrian, or a Turkish republic, no one can be insane enough to believe in. There is not a nation of Continental Europe, except, perhaps, some few of the northern, Protestant states, in which, under existing circumstances, a representative democracy could survive the year of its creation. France is, in technical language, estopped by her own deeds. And even in England, where the principles on which representative government is founded are better understood, we may be permitted to doubt, reasoning from the past and the present, if such an experiment could succeed. There are many who think differently, and who will look frowningly on those who question the universal applicability of our theory of government ; but if they will look soberly on English society as it is now organized, its habitual consideration for rank and authority, its complicated mechanism, too firm and intricate to be easily disturbed, the dense population crowded into a territory too narrow to allow scope for the ceaseless activity of republicanism, — or if (and this is the most impressive consideration) they will study the history of England's great and ineffectual rebellion, when the wisest and purest

and ablest of her sons, — for such we honestly believe the leaders of the Long Parliament to have been, — stimulated by the highest impulses, were arrayed against a feeble, vacillating prince, and a treacherous nobility, and yet failed, signally failed, and were compelled, bowing their necks meekly, if not gladly, to submit themselves to the usurpation of a military adventurer, and to the worse domination of a restored king, the most contemptible and profligate man who ever sat upon a throne, — if this story be well read and considered, there will, we repeat, be room at least for doubt as to the fitness of such a nation, and a society so tempered, for popular institutions. Here, in Anglo-Saxon America, the experiment has been made, and has succeeded ; and, though a shade of doubt, a transient misgiving, may sometimes darken the minds of the most sanguine, yet it is too transient to disturb the tranquil and abiding confidence, that on this soil, and with a people educated politically as ours has been, representative republicanism is the best and only form of social institution that can exist or endure. It is, after all, — and to this point all fair reasoning brings us, — a matter of social aptitude ; and, freely conceding, as we do, that a popular government is the best and most natural, the most conformable to the word of God, proclaimed in his gospel, and written in the heart of intelligent man, we deny the logic which deduces from this admission the expediency of forcing, as Paine and his disciples would have done, all existing societies, no matter how organized, into this mould. Where *self* is fit for it, self-government is best. Hence is it, that we have no sympathy with the feeling, or agreement with the reasoning, which denounces all monarchy, *per se*, as detestable and unnatural.

Such, however, is the principle which the first part of “Common Sense” asserts, and asserts in the boldest manner. As a specimen of style and intelligible argument, let us take the following passage, in which we can readily imagine that the author spoke from his heart.

“England, since the Conquest, hath known some few good monarchs, but groaned beneath a much larger number of bad ones ; yet no man in his senses can say, that their claim under William the Conqueror is a very honorable one. A French bastard, landing with an armed banditti, and establishing himself King of England, against the consent of the natives, is, in plain

terms, a very paltry, rascally original. It certainly hath no divinity in it. However, it is needless to spend much time in exposing the folly of hereditary right; if there are any so weak as to believe it, let them promiscuously worship the ass and the lion, and welcome. I shall neither copy their humility nor disturb their devotion.

"Yet I should be glad to ask how they suppose kings came at first. The question admits but of three answers, namely, either by lot, by election, or by usurpation. If the first king was taken by lot, it establishes a precedent for the next, which excludes hereditary succession. Saul was by lot, yet the succession was not hereditary, neither does it appear from that transaction, that there was any intention it ever should. If the first king of any country was by election, that likewise establishes a precedent for the next; for to say that the right of all future generations is taken away by the act of the first electors in their choice not only of a king, but of a family of kings for ever, hath no parallel in or out of Scripture, but the doctrine of original sin, which supposes the free-will of all men lost in Adam; and from such comparison, and it will admit of no other, hereditary succession can derive no glory. For, as in Adam all sinned, and as in the first electors all men obeyed; as in the one, all mankind were subjected to Satan, and in the other to sovereignty; as our innocence was lost in the first, and our authority in the last; and as both disable us from reassuming some former state and privilege; it unanswerably follows, that original sin and hereditary succession are parallels. Dishonorable rank! Inglorious connexion! Yet the most subtle sophist cannot produce a juster simile."*

May we not well wonder, that such trashy jargon as this could have made an impression on any mind, whether tranquil or excited?

It is in that part of his pamphlet, in which, dismissing his speculations as to forms of government in the abstract, he urges on the American people the expediency and practicability of independence of Great Britain, that Paine rises to a far better tone and style. He appeals to the fresh recollection of the few years which had passed since the voice of colonial complaint was first raised, and holds up a record of oppressive acts by the mother country before the people.

* We have before us the edition of "Common Sense" published by Almon, in London, in 1776. The printer has discreetly left blanks in his pages, instead of printing such passages as might bring him within reach of "an information *ex officio*."

Stamp Taxes, Tea Duties, Navigation Acts, Orders in Council, Proclamations, the revival of old penal acts of Parliament, such as the statute of Henry the Eighth, by which offenders abroad were to be sent to England for trial, the very sight of which, like that of some rusty engine of torture brought to light from the cells of the Inquisition or the Bastile, struck terror everywhere, — all these are dwelt upon in eloquent gradation, and at last the climax is reached in the atrocity in the streets of Lexington, the ever memorable 19th of April, 1775. “No man,” says he, in eloquent, but ferocious language, “was a warmer wisher for a reconciliation than myself, before that fatal day ; but the moment the event was made known, I rejected the hardened, sullen-tempered Pharaoh of England for ever ; and disdain the wretch that, with the pretended title of Father of his People, can unfeelingly hear of their slaughter, and composedly sleep with their blood upon his soul.”

He dwells with earnestness on the resources, social and economical, which the Colonies had within themselves, and on which, developed as they would be in an independent state, they might so surely rely. He sketches a scheme of political organization for the infant community, and concludes with a passage full of sagacious forecast, and to the power of which we readily bear testimony. Let any one look about him now, in 1843, at the clouds which lower around the horizon, and the occasional flash and distant thunder that bursts from them,—the rivalry of States, sectional prejudices, and local intolerance, —and gratefully acknowledge, that it was the voice of wisdom that looked far into futurity, which bade them in infancy unite.

“Youth is the seed-time of good habits, as well in nations as in individuals. It might be difficult, if not impossible, to form the continent into one government half a century hence. The vast variety of interest, occasioned by an increase of trade and population, would create confusion. Colony would be against Colony. Each being able, might scorn the others’ assistance ; and, while the proud and foolish gloried in their little distinctions, the wise would lament that the union had not been formed before. Wherefore the present time is the true time for establishing it. The intimacy which is contracted in infancy, and the friendship which is formed in misfortune, are, of all others, the most lasting and unalterable. Our present union is marked

with both these characters; we are young, and we have been afflicted. Our concord hath withstood our troubles."

We have incidentally referred to, without describing it, Paine's scheme of a Constitution for the United Colonies. We notice it again as a new illustration of the impracticability of theoretical systems coined in any single mind; but also with a view to do justice, though perhaps it is quite unnecessary, to the reputation of an individual, whom Paine, in his latter years, took a malignant pleasure in reviling. In the year 1802, Paine returned from France, at the instance of Mr. Jefferson, in a national vessel, and paid his passage by writing for the Administration press abusive essays, which he dignified with the title of letters to the people of the United States. In a letter of the 19th of November, 1802, is the following passage.

"I have had my doubts of John Adams ever since the year 1776. In a conversation with me at that time, concerning the pamphlet, 'Common Sense,' he censured it, because it attacked the English form of government. John was for independence, because he expected to be made great by it; but it was not difficult to perceive, for the surliness of his temper makes him an awkward hypocrite, that his head was as full of kings, queens, and knaves, as a pack of cards. But John has lost deal."

And then, in the same tone, he goes on to assert, by direct implication, that a conspiracy existed between General Washington and Mr. Adams, the first President and Vice-President, to make the Executive office hereditary, descending to Mr. Lund Washington, the President's nephew, as next of kin, with a sort of contingent remainder to the heirs male of the Vice-President. Such was the incense which a vile party-press offered to its leader, and which his nostrils seemed gratefully to snuff up. We do not stop to nail down this malignant libel, but refer to it in connexion with another matter.

Among Mr. Adams's familiar letters recently published, is one written in March, 1776, to his wife.

"You ask me what is thought of 'Common Sense.' Sensible men think there are some whims, some sophisms, some artful addresses to superstitious notions, some keen attempts upon the passions, in this pamphlet. But all agree there is a great deal of good sense, delivered in a clear, concise, and nervous style.

His sentiments of the abilities of America, and of the difficulty of a reconciliation with Great Britain are generally approved. But his notions and plans of Continental Government are not much applauded. *Indeed this writer has a better hand in pulling down than building.* It has been very generally propagated that I wrote this pamphlet. But although I could not have written anything in so manly and striking a style, I flatter myself I should have made a more respectable figure as an architect, if I had undertaken such a work. This writer seems to have very inadequate ideas of what is proper and necessary to be done in order to form Constitutions for single Colonies, as well as a great model of union for the whole."

Mr. Adams's "Frame of Government," as developed in his celebrated letter to Mr. Wythe, and Paine's, as stated in his "Common Sense," are both before us, and it may not be amiss to pause and see what sort of architects they were,—each in his own estimation being competent to the task.

Paine's plan was this. For each Colony, there was to be no other government but that of a Legislative Assembly annually elected, with a President as its only officer. Each Colony, the small and the large alike, was to choose thirty members of Congress. The President of Congress was to be chosen annually, and successively from the different Colonies. Three fifths were to form a majority. And this was to be the whole government of the States and of the Union; no other Executive, no Judiciary,—no authority but this single chamber for a Legislature, and an annual President. "He that could promote discord," says Paine, with admirable complacency, "in a government so equally formed as this, would have joined Lucifer in his revolt."

And then, after providing for a Continental written charter, to be framed by delegates to be chosen by Congress and the States,—thus reversing the natural order, whereby the government is organized after the Constitution, instead of preceding and creating the Constitution,—he concludes with a proposed ceremonial for promulgating this organic law, which has a most happy resemblance to the grotesque mummeries practised in revolutionary France.

"But where, say some, is the king of America? I'll tell you, friend; he reigns above, and doth not make havoc of mankind, like the royal brute of Britain. Yet, that we may not

appear to be defective, even in earthly honors, let a day be solemnly set apart for proclaiming the charter ; let it be brought forth, placed on the Divine Law, the word of God ; let a crown be placed thereon, by which the world may know that, so far as we approve of monarchy, in America the law is king. For as in absolute governments the king is law, so in free countries the law ought to be king, and there ought to be no other. But lest any ill use should afterwards arise, let the crown at the conclusion of the ceremony be demolished, and scattered among the people whose right it is."

Such was the Constitution and the form of publishing it recommended by "Common Sense" !

In January, 1776, before Paine's pamphlet was published, Mr. Adams prepared his "Thoughts on Government" for Mr. Wythe. They embodied the fruit of extensive study and deep meditation, — of full and philosophic observation of the existing state of the world, and rich recollections of the past ; but in practice, his scheme, thus elaborated in the closet, would have been found almost as objectionable as Paine's simple machinery. He repudiated earnestly the institution of a single Legislative Assembly, without restriction and control. The frame-work in each Colony was to be as follows, closely resembling the Constitution which in the same year Dr. Franklin prepared for Pennsylvania. There was to be a House of Representatives elected immediately by the people, which was to choose, either from its own body or from the people at large, a Council of twenty or thirty, who were to exercise a negative voice in the Legislature, but not to originate measures. The Governor was to be chosen annually, by a joint vote of the Representatives and Council, and to be an integral part of the Legislature, with an unqualified veto. All executive officers were to be chosen by the same joint ballot. The Judges (the Judiciary was a part of the scheme which Paine never thought of) were either to be nominated by the Governor to the Council, or elected by joint ballot. They were to hold their offices during good behaviour. The Continental Government was to be vested merely in Congress, whose authority was to be strictly confined to matters relating to war, trade, disputes between Colony and Colony, the Post-office, and the unappropriated crown lands.

How fortunate was it, that to no one man, either such as

Paine, a self-sufficient derider of experience, or as Mr. Adams, a learned and sagacious theorist, was the duty intrusted of framing a constitution for this nation ! From the time of John Locke downwards, the result in all such cases has been a failure. Equally fortunate is it, that the task was postponed till the work of violent revolution was accomplished, and the defects of the mere voluntary system were detected. Had a government been organized at the beginning of the war, we may infer from the schemes to which we have alluded, that the Federal principle would scarcely have been developed, but a loose, ricketty system of Congressional domination would have been the only Continental authority or restraint. As it was, the Convention of 1787, guided by no constitution-monger, was composed of patriotic and practical men, who deliberated in a spirit of compromise and conciliation ; deliberated, too, with the lessons of disunion and disorganization, State contumacy and Continental imbecility, before them, and made a work so nearly perfect, that every amendment, so called, since made, has unquestionably marred its fair proportions.

Paine's biographers, Cheetham included, who certainly had no disposition to exaggerate his public services, have stated that, in the campaign of 1776, he joined the army as a volunteer. This may be so, and we incline to infer from the positive manner in which it is stated, that it was so ; but his military career was certainly brief, and gained for him no peculiar distinction. He was probably attached to the army in some civil capacity, and made himself useful as a writer of despatches and proclamations on a small scale.

The next, and no doubt the ablest, publication of Paine, was "The Crisis," a series of papers, sixteen in number, on the occurrences of the times, extending from December, 1776, to December, 1783, and designed as popular appeals to sustain the resolution of the nation during those scenes of trial. They bear the signature of "Common Sense." One criticism on these celebrated papers will at once suggest itself. On the face of them they appear to be hastily and carelessly written, with popular, *ad captandum* rhetoric, but without any thing like deep thought, or philosophical consideration. The two hundred pages of which they consist might be written, one would suppose, with a running pen, and could not have been revised or elaborated. Yet it is

curious to observe how much time was occupied in their composition. An average of three months was devoted to each paper; of course, Paine must either no longer be regarded as a ready writer, or some less creditable reason must be given for the sluggish and passive temper with which, patriot as he claimed to be, he regarded the stirring scenes around him. We have, however, a contemporary solution of this problem, which throws light on the personal habits of this strange and wayward being. There is a little volume of Revolutionary memoirs, now rarely met with, written by the late Judge Henry, of Pennsylvania, a man of education, intelligence, and patriotism. It comprises a journal of the campaign against Quebec, in 1775, in which the writer bore an honorable part, and a few memorials of a later period of his life. In 1777-8, when Congress was driven from Philadelphia, and Mr. Henry was a cripple from his wounds, received at the attack on Quebec, Paine became an inmate of his house at Lancaster. His habits of life and composition are thus described.

“When my wound,” says Mr. Henry, “in 1778, was so far mended that I could hobble upon crutches, or creep up stairs, (as you may have seen me of late years do,) my greatest recreation in my distressed state of mind, was, to get into the chamber of Mr. Rittenhouse, where the books were. There, his conversation, for he was most affable, enlivened my mind, and the books would so amuse it, that it became calm, and some desperate resolutions were dissolved. While that excellent man was employing his hours in the duties of his office, for the benefit of the people, Paine would be snoring away his precious time in his easy chair, regardless of those injunctions imposed upon him by Congress in relation to his political compositions. His remissness, indolence, or vacuity of thought caused great heart-burnings amongst our friends. I have heard the late George Bryan, then Vice-President of the Council, speak of his gross neglect with remarkable harshness. I would sometimes go into Paine’s room, and sit with him. His ‘Crisis,’ No. V., lay on his table; to-day three or four lines would be added; in the course of a week a dozen more, and so on. No. V. is dated March 21, 1778, but it was not published till some months after that date, and it was generally thought that it had been too long delayed. For my own part, I was so passionately engaged at heart in the principles of our cause, that Paine’s manner of living and acting gave me a high disgust towards him. No idea could enter my

mind, that any one in that noble struggle could be idle or disengaged."

Our limits are such as to prevent us from noticing these papers in detail, or from giving such extracts from them as would enable our readers to understand their scope and merit. Every student of our history, accurately appreciating their author's motives and opportunities, should carefully examine them. The first words of the first number, written two days before the battle of Trenton, have become part of our household words. "*These are the times which try men's souls.*" Yet it is very manifest, that, with all Paine's aptitude at coining popular phrases, there was no spring of true eloquence in him, and when he wrote under immediate and outward pressure, and without an opportunity of revision and slow elaboration, no matter how great the occasion or intense the excitement, he wrote feebly and impotently. Take, for example, the "Crisis," No. IV., and, meditating on the circumstances under which it was written, observe what a feeble appeal it makes to arouse a dismayed and discomfited people. It is dated at Philadelphia, on the 12th of September, 1777, the day after the battle of Brandywine, when the broken remains of the American army were slowly and sadly marching through the empty streets, reluctantly abandoning the capital of the nation to an invading foe. Within twenty miles of the field of bloody victory lay that invading force ready and, as was supposed, willing to advance and take possession of the city. The sound of the cannonade was in the ears of the people. Congress, remembering that, less than a year before, the Providence of God had snatched them from equal peril, remained firm and resolute. In December, 1776, they had fled in no groundless panic to Baltimore. In September, 1777, with a far greater danger impending, they remained firm and constant to their post and duty; nor was it till Washington supplicated them to leave the city, and Sir William Howe, driving our scattered levies before him, was actually surrounding Philadelphia, and cutting off all chances of escape, that they adjourned, first to Lancaster, and then to York. Yet at a juncture like this, when, if ever, eloquence was needed to drive despair from the popular mind, the style of Paine was dull and listless, and the two or three inanimate pages which he published could not have aroused hope or invigorated

patriotic feeling. It was the time to animate the nation with trumpet eloquence, not to tickle its ears with sneers and sarcastic ribaldry. But he was not the man for such occasions as these. His was the maudlin rhetoric, doled out, line by line, in the intervals of his after-dinner nap at Lancaster, when, with "a blanket wrapped round him, after eating an inordinate dinner," he snored away opportunities so precious. A nation's sorrows and a nation's terrors have consolations as well as those of individuals; and never is confidence in a kind and merciful Providence more nobly developed, never is the voice of prayer more eloquent or impressive, than when an oppressed and injured people, deserted by all earthly auxiliaries, and bereft of all apparent aid, raises its voice to supplicate for assistance from on high. But it was not for such pick-lock eloquence as Paine's, to open sources of hope and consolation. The example of Washington, of him on whom, in times like these, the whole burden of responsibility and expectation was made to rest, of him who never murmured or repined, but who, without presumptuous confidence, never allowed despondency to weigh him down, — it was his example that had an influence in sustaining national hopes, when all the pamphlets that issued from a fertile press had failed to arouse them. The strong religious sentiment of the people, interwoven as it was with their political action, the sentiment of grateful and submissive trust in Heaven, which such men as Washington inculcated and exhibited, was a surer stay than ribald rhetoric could supply.

The winter of 1777–8 was, beyond comparison, the gloomiest period of the war, and it was at this time, that the "Crisis," No. V., to which Mr. Henry refers, appeared. It was the dark hour before day. Not only was the suffering of the army more severe than it had ever been, not only was the success of the enemy more apparent, as they remained in undisturbed possession of the two principal colonial cities, New York and Philadelphia, but, for the first time, the spirit of party cabal had insinuated itself into Congress, and, by attacking the person and character of the Commander-in-chief, made progress which seemed to threaten the good genius of the young Republic. It seemed as if removal from a city to the quiet seclusion of Little York had withdrawn all restraint, and given time and opportunity

for discontent and jealousy to develope themselves. Washington had been defeated at Brandywine, and had failed, by no fault of his, but still it was a failure, at Germantown. Philadelphia had been lost by the first defeat, and not recovered in consequence of the second. The Fabian system seemed to be at the lowest point of disrepute, while it so happened that at the same time, by one of those turns of luck which warfare often exhibits, the Northern Army under Gates had achieved a brilliant victory. Congress and many of the people could not, or would not, account for Gates's success and Washington's defeat, except by that charitable judgment which civilians are too apt to form of soldiers, that the general who is beaten must be in fault, and that it is genius that always succeeds. In this theory, General Gates triumphed, and enjoyed his triumph till the rout at Camden. That General Washington committed what may be regarded as military errors need not be denied ; but so have greater soldiers, from Marlborough to Soult. The campaign on Long Island, in 1776, may be considered one ; the affair of Fort Washington another. It is at least questionable, whether he was not wrong, and did not run a risk which no commander is justified in incurring, when he recrossed the Delaware the second time, after the battle of Trenton ; and possibly military criticism may detect an omission, in Washington's not crossing at Chad's Ford, and attacking Knyphausen, when he learned that Lord Cornwallis had passed the Brandywine above. But what of these ? or of what moment would it have been, if worse errors in a military point of view had been committed, so long as such a temper, such deliberative wisdom and undaunted moral resolution, as Washington's was in command ? Let those who weigh the skill of the tactician, to say nothing of those who would contrast the superficial talents of such men as Gates and Lee, with the wisdom, prudence, and self-control of him whose virtues have now survived all question, realize, if they can, the chances of the war, and of the peace which followed it, had the counsels of discontent prevailed in 1778, and Washington been superseded or dismissed to make room for the victor of Saratoga, the future fugitive from Camden.

The means adopted in and out of Congress to attain the object of this conspiracy were exactly such as unscrupulous men would most naturally resort to. Not only were the

minds of members of Congress poisoned by open representations to Washington's disadvantage, but the contemptible machinery of anonymous slander was put in active operation. A majority of what remained of Congress was no doubt hostile, and it was a matter of accident only that prevented this hostility from breaking out into some overt act of indignity. During all this time, Paine was in the employment of Congress, having been, in April, 1777, elected secretary to one of its committees, and he was in attendance on that body during its entire session at York. Yet, and it is due to him that it should be stated, he appears never to have lent himself to the purposes of the cabal, but on the contrary, in the fifth number of the "Crisis," written when the aspect of affairs was most gloomy, and Washington's enemies were most in the ascendant, he reviews the operations of the previous unfortunate campaigns in a spirit of patriotism and fairness, without a whisper of censure or reproach on him against whom more eminent men, his friends and employers, too, were then confederating. The infamy of that cabal will, at some future day, be fully illustrated. It is the darkest stain upon our history. It illustrates, better than any other incident, the variety of character on that scene, and affords evidence that there were agents at work in that hour of trial, of mean impulses and malignant passions, as well as others of disinterested and generous sentiments. But Washington was surrounded by a band of friends, whom calumny, whether open or concealed, could not alienate. When an anonymous writer wrote to Congress, that "the people of America have been guilty of idolatry, by making a man their God, and the God of Heaven and Earth will convince them, by woful experience, that he is only man; that no good can be expected from the army till Baal and his worshippers are banished from the camp," Mr. Laurens, then president, sent the letter at once to Washington, as the best means of marking his disapprobation of the mode of accusation and of the accusation itself. Nor was this all, (and we blush in dwelling on the cowardly meanness of these acts of social treason,) for within a week, another letter, apparently from the same source, was forwarded to Patrick Henry, then Governor of Virginia, urging him, almost in direct terms, to use his influence to dismiss from his high trust him of whom Virginia had so much reason to be proud. "The Northern

army has shown us what Americans are capable of doing with a General at their head. The spirit of the Southern," meaning that which was clustering with affectionate reverence around Washington at Valley Forge, "is in no way inferior to the spirit of the Northern. A Gates, a Lee, a Conway (!), would in a few weeks make them an irresistible body of men." "A great and good God," adds the writer, endorsing a sentiment of General Conway, "hath decreed America to be free, or the General and weak counsellors would have ruined her long ago." And then, with the true chivalry of an anonymous letter-writer, he thus concludes: "You may rest assured of each of the facts related in this letter. The author of it is one of your Philadelphia friends. A hint of his name, if found out by the hand-writing, must not be mentioned to your most intimate friend. Even the letter must be thrown into the fire. But *some of the contents ought to be made public* in order to awaken, enlighten, and alarm our country." But the "Philadelphia friend" mistook his man, when he made the generous, high-spirited Virginian the recipient of his secret slander, and hoped to make him the agent to scatter calumnies abroad which the author was afraid to endorse. "Believe me," said Henry, when sending this letter to the Commander-in-chief, "I have too high a sense of the obligations of America to you, to abet or countenance so unworthy a proceeding. While you face the armed enemies of our liberty in the field, and by the favor of God have been kept unhurt, I trust your country will never harbour in her bosom the miscreant who would ruin her best supporter. I wish not to flatter, but when arts unworthy honest men are used to defame and traduce you, I think it not amiss, but a duty, to assure you of the estimation in which the public hold you." The student of our history is aware, that Washington detected his anonymous assailant by the hand-writing, which he so much desired to conceal, and found him to be one who in public had always professed for him the greatest veneration and regard.* How profoundly grateful should we be, that such a conspiracy was frustrated—frustrated, too, by the manly candor of Washington's friends, and by his own resolute defiance of his enemies, secret and avowed!

* Sparks's *Washington*, Vol. V. p. 515.

Though in this attack on Washington Paine took no offensive part, but rather employed his pen in his defence, yet, at a later period of his life, he expressed his regret that he had not joined the cabal, and reproached Washington with ingratitude for forgetting his assistance. "Though I came forward," said he, in 1802, "in defence of Mr. Washington, when he was attacked, and made the best that could be made of a series of blunders that had nearly ruined the country, he left me to perish when I was in prison." It is in the same letter from which we make this extract, that Paine charged John Adams, towards whom his animosity never abated, with being an active participator, if not a leader, in the Conway cabal. On this charge we may be allowed to make a passing remark, — the more so, as the correspondence of Mr. Adams, recently published, seems to give some color to the accusation. But for this, Paine's attack, like the thousand venomous calumnies which were generated in the councils of the contending parties of that day, might be scornfully disregarded.

Mr. Adams left Congress very soon after it reassembled at York, in 1777. The germs of the hostile conspiracy were undoubtedly planted at that time, so far as it originated in mere restlessness at apparent military inactivity. The fall of Philadelphia seems to have aroused the resentment of Congress, and the victory at Saratoga was thought to justify it. In this feeling, to a certain extent, Mr. Adams may have shared. It extended to many who were Washington's warmest friends. In 1776, General Reed had complained of the military policy pursued. In the fall of 1777, General Wayne, in an unpublished letter to Gates, which now lies before us, complains of it still more bitterly. Yet Washington had no truer friends than these two gallant men, — none who did him more ample justice. It is therefore not so much to be wondered at, that a civilian, like Mr. Adams, a man of ardent temperament, should feel the same transient discontent and irritation. But it was transient, and it was not excessive. "Washington," said he in a letter to his wife, a day or two before the battle of Brandywine, "has a great body of militia assembled and assembling. Whether he will strike or not, I cannot say. He is very prudent, you know, and will not unnecessarily hazard his army. By my own enlivened feelings I judge I should put more to risk, if

I were in his shoes ; but perhaps he is right, — I am sick of Fabian systems in all quarters.” And so might many an irritable civilian or soldier write, when chafed not only by what seemed to him military inaction, but by the thousand crosses caused by such a body as Congress. But this was not all. Mr. Adams was a student, and had not studied vainly the pages of history. The evils of military domination, of the ascendancy of a military man, are taught on every page ; and it was an easy thing for precepts and speculative results like these to work injustice, and to be made the basis of a morbid apprehension and jealousy of the influence of a successful soldier. Nor was this feeling confined to his breast. It controlled Congress from first to last. Washington suffered under it throughout the war. Yet who shall say, reasoning from all history, that it was unnatural, or that, being natural, it was unreasonable ? It was under the influence of feelings thus produced, that Mr. Adams wrote to his wife the only lines which can be construed into disparagement of Washington. “Congress,” says he, “will appoint a thanksgiving ; and one cause of it ought to be, that the glory of turning the tide of arms is not immediately due to the Commander-in-chief, nor to Southern troops. If it had been, idolatry and adulation would have been unbounded ; so excessive as to endanger our liberties, for aught I know. Now, we can allow a certain citizen to be wise, virtuous, and good, without thinking him a Deity or a Saviour.” In a note, by Mr. C. F. Adams, to this passage, Dr. Rush’s testimony is quoted to a speech very much to the same effect, said to have been made in Congress on the 18th of February, 1777, on a resolution to give General Washington the selection of all his officers. We require, however, better proof than this. Dr. Rush was bitterly hostile to Washington, and was the reputed author of the anonymous letter to Patrick Henry. He was desirous of representing Mr. Adams as partaking of his embittered feeling. He speaks, too, of a resolution on which the speech was made, when from the Journal no such resolution appears ever to have been offered ; and, above all, he says that the speech was made on the day but one after Mr. Adams wrote to his wife in terms of earnest praise of the Commander-in-chief. But even attributing to him all that Dr. Rush says he uttered, it was little more than he had previously written, and there was nothing in it but the

expression of a mistaken, though not unreasonable, opinion. How different is this from a participation in the miserable intrigue, which, having its origin in the disappointment of a combination of foreign adventurers, such as Conway and his most confidential friends, arose altogether after Mr. Adams had left Congress and sailed for France, and was sustained by means from which every honorable mind revolts ! John Adams would have cut off his right hand rather than have written a word of anonymous calumny. There now lies before us a letter, which has never been published, written by Mr. Adams when at the Hague, in 1784, to an American friend in Europe, from which, in final refutation of this imputation of personal hostility to Washington, we make the following extract :

“ General Washington’s retreat is the completion of his character, the greatest our country ever produced. She will never want a greater : a succession of such will ensure her felicity and prosperity. May he live, and be again our great pillar, if we should have another war. But, my friend, is the next generation to produce such characters ? Are the moral sentiments and that education which produced such men to be preserved, or are they in danger ? Are the eyes of the people to be fixed, as they have been, on virtues, or on ribbons ? ”

About the time when these lines were written, Paine was beginning to repent his omission to unite with the secret cabal of 1778.

When Paine published his “ Age of Reason ” in Paris, he described himself on the title-page as “ Citizen and Cultivator of the United States of America ; — *Secretary for Foreign Affairs to Congress in the American Affairs*, and Author of the works entitled ‘ Common Sense ’ and ‘ Rights of Man. ’ ” We have a word or two to say as to one of the titles here so boastfully displayed.

On the 17th of April, 1777, Paine was elected Secretary or Clerk to the Committee of Foreign Affairs, with a salary of seventy dollars a month, and continued in office till —, 1779, when, to avoid dismissal, he resigned. What his duties were does not appear. They were certainly neither very onerous nor responsible, and there is some reason in the suggestion of Judge Henry in his Memoirs, that the office was meant as a sinecure for one whose pen might be made useful

to Congress. The cause of his dismissal may be briefly stated, without the necessity of embarrassing ourselves with the perplexities in which, from extraneous considerations, it was once involved, — the endless controversies of Deane and Beaumarchais. When Paine was elected to office, he was required to take an oath, specially prescribed by Congress, “faithfully to execute the trust reposed on him according to his best skill and judgment, *and to disclose no matter, the knowledge of which shall be acquired in consequence of such his office, that he shall be directed to keep secret.*” Yet in the face of this obligation, Paine not only threw himself into a controversy with Silas Deane, with which, as an officer of Congress, he had no right to meddle, but paraded in the columns of the newspapers facts and the evidence of facts, “the knowledge of which he could only have acquired through his office.” The assertion of Paine was, that the assistance furnished to Mr. Deane through Beaumarchais was really furnished by the Court of Versailles, then at peace with Great Britain. Whether this were true or not, (and we presume no one now doubts that it was true,) it is entirely aside from the question as to Paine’s official delinquency. It was not only a most indecent breach of trust, but it was one that was necessarily followed by severe retribution. Yet he seems to have been entirely unconscious of this breach of duty, and, with a careless effrontery which it is scarcely possible to reconcile with the possession of reason, he exclaimed; “If Mr. Deane or any of his friends will take the trouble to come to my office, I will give him or them my attendance, and show them, in handwriting which Mr. Deane is well acquainted with, that the supplies he so pompously plumes himself upon were promised and engaged, and that as a present, before he even arrived in France,” &c. In his memorial to the legislature of New York in 1808, he says that the despatches from which he derived this information, being addressed to the Foreign Committee as confidential, were not even divulged to Congress, making the breach of faith on his part still more remarkable.

It is, indeed, impossible to avoid the suspicion, in examining this rather humiliating page of our history, that Paine must have been instigated to make this disclosure by those higher in authority, for some ulterior purpose. Yet it is difficult to conceive what object could have been contem-

plated, as the alliance with France was consummated, and a Continental war in progress. Be this, however, as it may, the consequences were such as might have been anticipated. The French Minister complained to Congress of the act of their subordinate, and demanded an authoritative disavowal of the assertions made by Paine. The disavowal was made, with what throes of conscience may now easily be conceived, and, after a vain struggle to delay action, Paine, to avoid dismissal, sent in his resignation, which was at once accepted. Any one who will take the trouble to examine the votes and proceedings on this subject, and read with every disposition to a charitable construction of his conduct, cannot fail to be struck with the silence of Paine and his apologists, both in and out of Congress, on what is, after all, the turning point of the case, — the violation of his oath of secrecy. That being admitted, as from this silence we may assume that it was, it is worse than idle to talk of the truth or falsehood of the secrets which were betrayed. It is no paradox to say, that his delinquency was greater, if what he divulged was the truth. From this time we must look upon Paine as a disgraced and degraded man.

Unable to find employment elsewhere, he became, the following year, clerk to the Assembly of the State of Pennsylvania, which post he retained till his departure for Europe in 1781. It was during this period, that Negro Slavery was abolished in Pennsylvania, and there is a tradition, (as such merely do we refer to it,) that the act of abolition, with its eloquent preamble, was written by Paine. We know not, and cannot now pause to inquire, on what testimony this tradition rests. So far as internal evidence goes, we should at once deny his claim to this high honor. There is a dignified eloquence in this celebrated preamble, an unaffectedly devout enunciation of religious sentiment, and a precise and unassuming form of expression, which we cannot attribute to Paine. Be this as it may, however, we will not wrest from Paine the distinction which even vague tradition gives him. Few of the States of this Union (we trust we shall not be called to order for the remark) can boast of two more honorable or more eloquent legislative acts than the Pennsylvania Abolition Act of 1780, and her unanimous instructions to her Representatives in Congress in favor of the Missouri restriction.

In February, 1781, Paine accompanied Colonel Laurens to France, whence they returned in the following August. Laurens went as the agent of Congress, to negotiate a loan, which he succeeded in effecting. In what capacity Paine went has never been precisely ascertained. His own statement was, that he went at the instance of Colonel Laurens. Certain it is, that he was clothed with no official authority. The following letter, written in the preceding year by Paine, may shed some light on the real object of his mission, if, indeed, it had any other than the one which was apparent, that of aiding and counselling Colonel Laurens. We the more readily insert it, as it has never before been in print, and is a production eminently characteristic of its self-complacent author.

“ Sept. 9th, 1780.

“ SIR ;

“ Last spring I mentioned to you a wish I had to take a passage for Europe, and endeavour to get privately to England. You pointed out several difficulties in the way, respecting my own safety, which occasioned me to defer the matter at that time, in order not only to weigh it more seriously, but to submit it to the government of subsequent circumstances. I have frequently and carefully thought of it since, and, were I now to give an opinion on it as a measure in which I was not a party, it would be this ; — that as the press in that country is free and open, could a person possessed of a knowledge of America, and capable of fixing it in the minds of the people of England, go suddenly from this country to that, and keep himself concealed, he might, were he to manage his knowledge rightly, produce a more general disposition for peace than by any method I can suppose. I see my way so clearly before me in this opinion, that I must be more mistaken than I ever yet was on any political measure, if it fail of its end. I take it for granted, that the whole country, ministry, minority, and all, are tired of the war ; but the difficulty is how to get rid of it, or how they are to come down from the high ground they have taken, and accommodate their feelings to a treaty for peace. Such a change must be the effect either of necessity or choice. I think it will take, at least, three or four more campaigns to produce the former, and they are too wrong in their opinions of America to act from the latter. I imagine that next spring will begin with a new Parliament, which is so material a crisis in the politics of that country, that it ought to be attended to by this ; for, should it start wrong, we may look for-

ward to six or seven years' more war. The influence of the press, rightly managed, is important; but we can derive no service in this line, because there is no person in England who knows enough of America to treat the subject properly. It was in a great measure owing to my bringing a knowledge of England with me to America, that I was enabled to enter deeper into politics, and with more success, than other people; and whoever takes the matter up in England, must in like manner be possessed of a knowledge of America. I do not suppose that the acknowledgment of Independence is at this time a more unpopular doctrine in England, than the declaration of it was in America immediately before the publication of the pamphlet 'Common Sense,' and the ground appears to me as open for the one now as it did for the other then.

"The manner in which I would bring such a publication out would be under the cover of an Englishman who had made the tour of America *incog*. This will afford me all the foundation I wish for, and enable me to place matters before them in a light in which they have never yet viewed them. I observe that Mr. Rose, in his speech on Governor Pownall's bill, printed in Bradford's last paper, says, that 'to form an opinion on the propriety of yielding independence to America requires an accurate knowledge of the state of that country, the temper of the people, the resources of their Government,' &c. Now there is no other method to give this information a national currency but this, — the channel of the press, which I have ever considered as the tongue of the world, and which governs the sentiments of mankind more than any thing else that ever did or can exist.

"The simple point I mean to aim at is, to make the acknowledgment of Independence a popular subject, and that not by exposing or attacking their errors, but by stating its advantages and apologizing for their errors, by way of accommodating the measure to their pride. The present parties in that country will never bring one another to reason. They are heated with all the passion of opposition, and to rout the ministry, or to support them, makes their capital point. Were the same channel open to the ministry in this country which is open to us in that, they would stick at no expense to improve the opportunity. Men who are used to government know the weight and worth of the press, when in hands which can use it to advantage. Perhaps with me, a little degree of literary pride is connected with principle; for, as I had a considerable share in promoting the declaration of Independence in this country, I likewise wish to be a means of promoting the acknowledgment of it in that; and

were I not persuaded, that the measure I have proposed would be productive of much essential service, I would not hazard my own safety, as I have every thing to apprehend should I fall into their hands ; but, could I escape in safety, till I could get out a publication in England, my apprehensions would be over, because the manner in which I mean to treat the subject would procure me protection.

“ Having said thus much on the matter, I take the liberty of hinting to you a mode by which the expense may be defrayed without any new charge. Drop a delegate in Congress at the next election, and apply the pay to defray what I have proposed ; and the point then will be, whether you can possibly put any man into Congress who could render as much service in that station as in the one I have pointed out. When you have perused this, I should be glad of some conversation upon it, and will wait on you for that purpose at any hour you may appoint. I have changed my lodgings, and am now in Front Street, opposite the Coffee House, next door to Aitken’s bookstore.

“ I am, Sir, your ob’t, humble servant,

“ THOMAS PAINE.”

The special mission of Colonel Laurens to France, and the events which immediately followed his return, fill one of the most interesting chapters of our Revolutionary history. When he sailed, in the winter of 1781, affairs looked gloomy on this side of the Atlantic, even with all the encouragement of the new alliance, and the actual presence of a French fleet and army. The currency, by which alone the army was paid, was at its lowest point of depreciation. The confederation was incomplete, and made slow progress with Congress and the States. The French fleet was blockaded in Newport harbour, and the army lay in entire inaction, unwilling to leave the fleet defenceless. “ Send us,” says Rochambeau, in a letter to Count de Vergennes, with a vehemence that shows the depth of his anxiety, “ send us troops, ships, money ; but do not depend upon these people, nor upon their means ; they have neither money nor credit ; their means of resistance are only momentary, and called forth when they are attacked in their own homes. They then assemble for the moment of immediate danger and defend themselves. Washington commands sometimes fifteen thousand, sometimes three thousand.” Never did man assume a more painfully responsible trust than Colonel Laurens. Never did man more zealously labor

to discharge it. He had a personal feeling in his duty. Across the channel, in no formal duress, but literally in the cells of the Tower, his aged father, worn down with infirmity and sorrow, a venerable patriot whose gray hairs should have moved his inhuman jailors to pity, was incarcerated. Who knows what promises on this score were whispered into the ears of the young ambassador, to tempt him from his duty ? Yet so zealously was it discharged, so perseveringly did he haunt the French ministerial antechambers, so bluntly and honestly did he express his irritation and disappointment, that Vergennes made it the subject of formal complaint to his minister in America. And who can wonder at his importunity, on reading Washington's private letters to him ? "Be assured, dear Laurens, day does not follow night more certainly than it brings with it some additional proof of the impracticability of carrying on the war without the aids you were directed to solicit. As an honest and a candid man, as a man whose all depends on the final and happy termination of the present contest, I assert this ; while I give it decisively as my opinion, that, without a foreign loan, our present force, which is but the remnant of an army, cannot be kept together this campaign, much less will it be increased and in readiness for another. But why need I run into detail, when it may be declared in a word, that we are at the end of our tether, and that now or never our deliverance must come ? "

And between the date of this earnest letter, and Colonel Laurens's return in August, 1781, how much of momentous interest was crowded ! It is a story of romance. The semi-pursuit, semi-retreat, of the British through Virginia, till Lord Cornwallis found himself pent up on the peninsula of Yorktown, — the dispersion of the English fleet off Newport, and the first attempt of De Tilly and Destouches to make a diversion to the southward, — the drawn sea-fight with Arbuthnot, — the arrival of Du Barras with reinforcements at Boston, — the conference at Wethersfield, and the final plan of attack on New York, desperate as it may seem, by sea and land, — the night attack and repulse of the 2d of July, — the arrival of the Hessian reinforcements, — the abandonment of the plan against New York, — the news of the arrival of Count de Grasse, first in the West Indies, and then off the Capes of the Chesapeake, — the entire change

of the campaign from New York to Virginia, and the secret and well concerted movement of the allied armies from the Hudson to James River, — all this, with its momentous results, was crowded into a brief period ; and within three months after urging his request with such importunity at the Court of Versailles, Colonel Laurens was storming the British redoubts at Yorktown, while the flags of more than thirty French ships of the line floated in triumph on the waters of the Chesapeake.

“ We brought,” says Paine, in his usual strain of self-glorification, “ two millions and a half of silver, with clothes and military stores, which enabled our army to move to Yorktown to attack the British under Cornwallis. As I never had a cent for this service, I feel myself entitled, now the country is in a state of prosperity, to state the case to Congress” (*Memorial, in 1808, to Congress*). Had Paine been content with the honorable distinction of being, in his hour of disgrace, the companion of so pure a man as Laurens, no one would have been tempted to wrest it from him. But there is not a shadow of evidence that he either did render or could have rendered service at the Court of France. Laurens needed no other aid than what his own talents and the experience of Franklin gave him, and it would have been no slight diplomatic blunder to associate publicly in his mission a man who, not two years before, had been disgraced for offering a wilful and deliberate insult to the Court to which the mission was accredited.

Paine’s enemies, and Cheetham in particular, in their anxiety to depreciate his claims, have endeavoured to show that the aid obtained from France by Colonel Laurens had nothing to do with the success of the campaign of 1781, and have proved this to their own satisfaction by showing, what no one can dispute, that the movement against Cornwallis was planned and partially carried into effect before its arrival. On the 25th of August, when Laurens and Paine landed at Boston, the army had advanced to Philadelphia, though General Washington had not left his head-quarters on the North River, and on the 5th of September, though the news of their arrival had reached the army, no one yet knew what was their success. It was on that day, that Mr. Morris, at Washington’s urgent instance, made his private and ineffectual appeal to Count Rochambeau to lend him

twenty thousand hard dollars from his military chest, to advance a month's pay to the American troops. He followed the French general as far as Chester, such was his solicitude and the public necessity, and on his way thither received the glad tidings of the arrival of Count de Grasse in the Chesapeake. Such was the confidence inspired by this news, that Rochambeau at once made the advance, on Mr. Morris's promise to repay it on the first of October, which he was enabled to do through Colonel Laurens's supplies. With all this, Paine, however, had no more to do than the footman that brushed Colonel Laurens's coat.

With the surrender of Yorktown, the war of the Revolution may be said to have terminated. But when the excitement of actual warfare and impending danger was over, the vigor of the people seemed to sink at once, and the five or six years that ensued presented a dreary aspect to those who had fought the battles of their country well, had counselled her in hours of extremity, and now looked for their recompense to the consummation of the high hopes which they entertained from free institutions safely consolidated and established. Instead of this, there ensued fearful disorganization ; no union, no strength, no confidence, no currency, no means of public faith ; not merely "the loose buckling of the belt," (one of Paine's phrases,) but the danger of wild centrifugal action, which threatened, from mere want of ordinary resistance, to produce a desolation that war itself had failed to effect. Then it was that the genius of a great man developed itself, and Robert Morris, taking charge of what were called our Finances, empty vaults, dishonored credit, and a burden of foreign debt, labored, with mental powers almost superhuman, to lay a foundation on which something like system and order could be raised. In his Diary for February, 1782, Mr. Morris made the following note.

"Having lately had several meetings with Mr. Thomas Paine, the writer of a pamphlet styled 'Common Sense,' and many other well known political pieces, which, in the opinion of many respectable characters, have been of service to the cause of America, I thought this gentleman might become far more serviceable to the United States by being engaged to write in the public newspapers in support of the measures of Congress and their Ministers. My assistant, Mr. Gouverneur Morris, is clearly of

the same opinion, and, in all our conferences with him, we have pointedly declared, that we sought the aid of his pen only in support of upright measures and a faithful administration in the service of our country. We disclaim private or partial views, selfish schemes or plans of any and every kind. We wish to draw the resources and powers of the country into action. We wish to bring into the field an army equal to the object for which we are at war. We wish to feed, clothe, move, and pay the army as they ought to be done, but we wish also to effect these on such terms as may be least burdensome to the people, at the same time that the operations shall be every way effective. Having these for our objects, we want the aid of an able pen to urge them upon the legislatures of the several States."

This is the very guarded language of Mr. Morris, who evidently had no very exalted opinion of Paine's abilities as a writer, but rather deferred to the views of others who thought better of him than he did; and it is probable, reasoning from the evidence we have, that the attempt thus to employ his talents failed, since, except two brief numbers of the "*Crisis*," we are aware of no publication made by him at that time, or indeed at any time, on the subjects to which Mr. Morris refers in his diary. In one of his letters to the people, he alludes to something of the kind, and with his usual modesty claims for himself the suggestion of the Convention of 1787, and the great results which flowed from it.

"If," says he, "by Federalist is to be understood one who was for cementing the Union by a general government, operating equally over all the States, in all matters that embraced the common interests, and to which the authority of the States severally was not adequate, for no one State can make laws to bind another; if, I say, by a Federalist is meant a person of this description, (and this is the origin of the name,) I ought to stand first on the list of Federalists; for the proposition of establishing a general government over the Union came originally from me, in 1783, in a written memorial to Chancellor Livingston, the Secretary for Foreign Affairs to Congress, Robert Morris, Minister of Finance, and his associate, Gouverneur Morris, all of whom are now living, and we had a dinner and conference at Robert Morris's on the subject." (*Letter, 25th of November, 1802.*)

Now as no such memorial exists, so far as our inquiries (and they have been carefully made) extend, and as this very

project of a government for the Union was among those suggested by Mr. Morris to Paine in 1782, (not 1783,) after a consultation with Gouverneur Morris and Chancellor Livingston, it is surely not unfair, or even uncharitable, to infer, that the muddled recollection and exuberant vanity of Paine led to this strange misstatement.

From this time forth, Paine was little else than a pressing supplicant for alms at the hands of the different States and of Congress, — a thriftless beggar, exaggerating the services he had rendered, and wearying his ancient friends by his ceaseless importunities. It is not easy to read with tolerable seriousness his odd exaggeration of his merits. In his memorial to the Supreme Executive Council of Pennsylvania, he says, with admirable solemnity, “I cannot but observe, that the course of four years has produced no other signature universally known and read, here and abroad, except that under which I have constantly published; and should my situation be rendered such as shall oblige me to discontinue the part I have hitherto acted, it will not be easy to establish a new signature that shall collect and keep the sentiments of the country together, should any future emergency arise, which to me appears very probable.”

These appeals were not made in vain. In 1785, Congress voted him three thousand dollars, Pennsylvania gave five hundred pounds currency, or about thirteen hundred dollars, and New York bestowed on him the confiscated estate of Mr. Deveaux, at New Rochelle. Virginia, to whom Paine also applied, for some reason not precisely ascertained, either insensibility to his vaunted merits, or irritation at a publication made by Paine in 1780 against her claim to the Western Territory, rejected his prayer for relief. Complaint of Washington's ingratitude and insensibility to his public services was, as we have seen, the favorite topic of Paine's latter days. There was no word of querulous acrimony too strong for his use. Yet in his hour of need, Washington aided him by private benefactions, and had been a kind and earnest interceder in his behalf; and the private letter which, in 1784, he wrote to Mr. Madison is the most valuable testimonial of praise that Paine ever earned.

“Can nothing,” he wrote, “be done in our assembly for poor Paine? Must the merits and service of ‘Common Sense’ con-

tinue to glide down the stream of time unrewarded by this country? His writings certainly had a powerful effect upon the public mind; ought they not, then, to meet an adequate return? He is poor, he is chagrined, and almost, if not altogether, in despair of relief. New York, not the least distressed, nor best able State in the Union, has done something for him. His views are moderate, — a decent independency is, I believe, all he aims at. Ought he to be disappointed in this?"

It was this generous benefactor, that Paine subsequently described as "one of so icy and death-like a constitution, that he never loved a friend, nor hated an enemy."

In April, 1787, having collected his wages from all who were willing to pay him, Paine sailed for France, and in September he returned to his native country, after an absence of thirteen years. We have neither the means nor the inclination to trace minutely his career abroad. We cannot do it without involving ourselves in the perplexities of British politics, at a period when partisan heat was at an extreme point, and taking sides in controversies, the merits of which we might easily mistake. The alternations of feeling in Great Britain, produced by the French Revolution, and reflected in a modified form on this side of the Atlantic, are curious subjects for consideration, but too important and too curious to be incidentally noticed. Hope, horror, disgust, and dismay succeeded in as quick succession as the palpitations of the British heart. We felt all but the last, — our distance securing us from alarm, — and, in its place, there were the sympathy of a common republicanism, and the grateful recollection of recent succour. In England, the first excitement was intense; so much so, that he who doubted the result of the great popular movement in France was regarded as a fanatic admirer of obdurate despotism. Nor was this unnatural, or confined to what are known as the lower classes. An English conservative of 1787 had no personal sympathy with the French monarchy and aristocracy, for no classes of men ever were more alien from each other than the British noble and the French courtier of the vilest of all courts, — that of Louis the Fifteenth. If, as Mr. Windham said, Revolutionary France was a large brothel, — the court of Versailles was a small one. The penalties of the Decalogue were inverted, and, in the royal family at least, the penalty of the second commandment followed a violation of the seventh.

It was literally the children, and the children's children, of adultery, that were punished, and Louis the Sixteenth and his wretched son expiated the gross iniquities of a court of strumpets. The British aristocracy looked down on their fellow nobles across the channel as scornfully as a British jack-tar regards a French *matelot*. When the Princesse De Lamballe dined with the Duke of Queensberry, Walpole, a thorough aristocrat, though a Whig, turned up his nose at her. "I have no particular *penchant* for sterling princes and princesses, much less for French plate." To others, the appearance of a rightful claim for redress, which marked the first movements in France, was to a certain extent attractive. The whole class of disaffected persons had a more direct inducement to sympathy. As soon, however, as the violence of the movement increased, there began to be counter currents, and, after no great lapse of time, the whole surface was lashed into a foam and fearful agitation by the outbreak of contending feelings and opinions. Then came the war of words and almost of deeds, in and out of Parliament, — the rupture of ancient friendships, the generous, but mistaken sympathy of Mr. Fox and his party with a people striving to be free, the eloquent frenzy of Burke, surpassingly wise in his enthusiasm; then was developed, in its full severity and rigor, the ministerial policy directed by Mr. Pitt and his crown lawyers, — the manifestos on both sides, — clubs and associations, Crown and Anchor festivities, — loyal and seditious toasts, — pamphlets upon pamphlets. In the midst of this hurly burly, Paine came back to England, and what propitious elements were there for him! What a change for the poor staymaker, to return and be made the companion of leading politicians, to be appealed to as authority, to have listeners at his shrine, and to be able to tell how *he* had started the ball in America, how *he* had done this and that, — in short, how *he* had done every thing. Of course, it was not long before he began to write, and in rapid succession a batch of revolutionary pamphlets were published, which were intended to outshine the feeble brilliancy of "Common Sense." Mr. Burke's great "Reflections" had just appeared, and had awakened every impulse of English loyalty throughout the land. His genius had fired a beacon, whose light made clear as noon-day, to the minds of those for whom he wrote, the atrocities of France and the

dangers of England. And England was in danger ; her institutions, her church, her laws, her ancient privileges, were threatened. The covenant of blood was against them all. It was with no impotent malignity that the demon of Jacobinism brandished its bloody knife across the channel. The only union which revolutionary Frenchmen knew, was in hatred of England and English institutions. " They have turned over in the air," said Mr. Windham, in his speech on the Peace of Amiens, " as in sport, like tumbler pigeons ; but have they ever in consequence ceased their flight ? The ship has been in mutiny ; there has been fighting at the waist, and fighting on the fore-castle ; but, in the midst of the confusion, somebody has always been found to tend the helm, and to trim the sails ; the vessel has held her course." Fortunate, thrice fortunate, was it then for England, that, in dangers like these, a trumpet tongue, speaking words of credible prophecy, like Burke's, should have been heard ! The government, harsh and extreme as its measures were, was thus thoroughly sustained by the sentiment of the people. As a reply to Burke's " Reflections," was written Paine's " Rights of Man " !

And though the reader of the present day may smile at the contrast, it is idle to deny that Paine made an impression in Great Britain. There is abundant evidence that he did. His grotesque and often vigorous phrases told on the excited mind of the populace. The pamphlets were published cheaply, and forced by a thousand arts into every channel of circulation ; they were read in the streets of London, and at Strawberry Hill * ; in palaces and in gin-shops, by old and young, rich and poor. The Attorney-general, in his speech on Paine's trial, stated that children's sweetmeats were wrapped up in pages of the " Rights of Man," and delivered to them, in the hope that they too would read. Paine, also, had a reputation as a writer, which his adversaries themselves had endorsed, and it was one of the cleverest thrusts of Mr. Erskine, in his defence, when he cited Mr. Burke's letter to the sheriffs of Bristol, testifying to Paine's ability and reputation, and to the orthodoxy of some of the doctrines of " Common Sense." But the impression produced was still more plainly shown in the

* See Horace Walpole's *Letters*, Vol. VI. p. 416.

extreme course pursued by the government. He was tried, as is well known, in his absence, on an information laid by the Attorney-general, and, a verdict being rendered against him, proceedings of outlawry were instituted and carried into effect. His head was, in the language of the law, henceforward *caput lupinum*, the head of the noxious animal, to be broken by any dutiful subject that might meet him. In September, 1792, the Department of Calais elected him a member of the National Convention, and Paine hastened to take his seat in that terrible council-chamber, leaving behind him the dangers of a state prosecution. On the 8th of December of the same year, his trial took place at Guildhall, before Lord Kenyon.

Whilst the judgment of the British law was pronouncing, Paine was, in the full fruition of his doctrines, a judge on the trial of royalty. He must have arrived in Paris about the time of the September massacres, and was enthusiastically welcomed. He voted for the abolition of royalty and the trial of the King. And by what right, might any one in his simplicity inquire, did this stranger, who had never, as a citizen, breathed the air or lived under the laws of France, an English runaway, and an outlaw, sit thus in judgment? What a caricature of justice was it to intrust such functions to such hands! Far be it from us to deny that there may be occasions when a monarch, as well as a subject, may forfeit his life. The king may be a traitor, and deserve, as richly as the most vulgar conspirator, a traitor's doom. We think, whatever our sympathies may be, that Charles the First deserved his fate. He had played the bold game of a war with his people, and had lost. Not so Louis the Sixteenth. He had been a close prisoner in the power of his subjects; he had raised no hand against them; had counselled no treason against the constitution of the nation. He had yielded one prerogative after another, and most readily that of self-defence. When Barrère haughtily exclaimed, "Louis Capet be seated," "Louis Capet withdraw," we can imagine him as he was, a helpless, deserted man, powerless and defenceless. He had tried to escape, — as who would not, — but there was no worse treason in this than in the secret, fervent prayers which, from the dungeon in the Temple, he and his family breathed for rescue. His was vicarious crime. His brothers and family were with

the enemy, and therefore he perished. The "haggard element of fear" was at work against him. The Mountain feared his vengeance, if he was allowed to live for a restoration. The Girondists feared the Mountain, and dreaded the penalties which their ferocious rivals would be sure to visit upon mercy.

Charles the First had a trial before the only peers that can try a faithless monarch, his own offended countrymen. The French convention was a mob on a small scale. Englishmen sat as jurors, to try the English king. The French inquest was a sort of *tales*, not even *de circumstantibus*, not of the body of the country. Judges were summoned from abroad, like Paine, Anacharsis Clootz, and others, and made citizens for the nonce and by wholesale naturalization, if not citizens by mere force of republican sympathies.

On the test vote in the Convention, Paine's voice was for mercy, and what he calls his speech in favor of banishment to the United States is preserved in his printed works. What a dismal scene was that of the night session of the 15th of January, 1792, and what thoughts must have crowded into the mind of Paine, as, with the fresh recollections of the past, he looked around him! It was in the same Paris, whither he had first come some eleven years before, to invoke sympathy for America, and where he had been so warmly welcomed. Before him, during the days of the trial, sat the monarch who generously supplied the aid America had solicited, now attainted and about to be sacrificed. Where was the brilliant court which Laurens had importuned, — where the white flag which had floated before the intrenchments of Yorktown, — where Lafayette, the Lamottes, Chastelleux, Rochambeau, D'Estaing, De Grasse? All gone to death or banishment; the scene was changed; there were new actors and a bloody ceremonial. Seven hundred and forty-nine judges were uttering the words of doom on innocence. During all one night and the following day the polling of this dread jury continued. There was to be heard the hoarse, emphatic tones of the Jacobin, remorselessly pronouncing his bloody opinion, — the hesitating whisper of the Girondist, taking eternal woe upon his soul for a false judgment, — the "*sans phrase*" of Paine's friend and fellow constitution-monger, — the doubting vote of banishment from Paine's lips, followed by execrations and sneers from

those who had imported him for sterner uses, — and, last and worst of all, the hollow voice of an apostate prince, decreeing death to one whose blood was kindred to his own ; — all these in quick succession were the incidents of that night and day ; — and yet Paine lived through it, and meditated on it afterwards without remorse, or without any thought but that this was the rightful effect of theories that were destined to triumph ; and, though he shrunk from being himself the butcher, he could in his old age look back upon the bloody actors in these scenes, and praise them as the wise and good.*

Paine was soon to taste of the poisoned cup of revolutionary excess, and his subsequent career affords a curious comment on his usurped functions of a *citizen* judge. He was, as we have stated, naturalized, or, in M. Thiers' phrase, "elected a citizen," on his arrival in France, and qualified by this process to take his seat in the Convention. He was then made one of the philosophic triumvirate with Sieyes and Condorcet, to prepare the plan of a constitution. Anacharsis Cloutz and himself were the only two transmuted foreigners in the Convention. On the fall of the Gironde, in order probably to get rid of them, a decree was passed expelling all who were not natives of France. The next day, by a natural transition, they found their way to the cells of the Luxembourg. The next step was to a revolutionary distinction to which Paine did not aspire, and, in his reasonable terror at the thought of death, he applied to Gouverneur Morris to obtain his release as an American citizen. But, with the honors of French citizenship, he had assumed its responsibilities, and the Minister of Justice very peremptorily replied to this effect to Mr. Morris's intercession. In vain did Paine argue in favor of indefeasible allegiance ; in vain did he assert, that, having once become an American citizen, he could not be renounced as such ; the logic was too subtle for Robespierre and Fouquier Tinville, and could not unlock the prison doors. Beside, if allegiance were thus inalienable, England had a sort of preëmption right in him ; for within her realm he had been born, and thither he had once volun-

* "Hérault de Séchelles, — a good patriot and a friend of Mr. Jefferson." See *Paine's Third Letter to the People of the United States*, printed in the "Aurora," of December 3d, 1802. Who Hérault was we need not say.

tarily returned. For eleven months, throughout the whole Reign of Terror, did he remain a prisoner in the Luxembourg.

How he escaped the wholesale, indiscriminate slaughter of that awful period has never been precisely ascertained. Mr. Morris attributes it to the contempt into which he had sunk, and Paine accounts for it by the mistake made by the gaoler in marking the cells of the condemned; a mistake which could scarcely have occurred, unless the gaoler was as drunk as the prisoner generally was. Hérault de Séchelles, Anacharsis Clootz, and Lebon of Arras, his immediate companions in captivity, went, one after another, to the guillotine. One hundred and sixty in one day and night were taken from the Luxembourg, and condemned; yet the destroying angel passed by him. He escaped till the revolution of the 9th Thermidor, and the fall of Robespierre, when the prisons were opened, and Paine, with a few other survivors, worn out with disease and distress of mind and body, was set at liberty.

But what were the fruits of his captivity, the meditations he had had in his solitary cell, and how did he manifest his gratitude for the almost miraculous interposition of a merciful Providence in his behalf? Immediately on his release, or as soon after as he could digest and put on paper the thoughts and speculations that had been germinating in his mind, he published the second part of his "Age of Reason," the first part of which had been published after his arrival in France and immediately before his incarceration. Finding himself in danger of arrest, and surmising how quick might be the transition from the prison to the scaffold, he hastened to complete his work, so that, in case of his death, it might be left as his last and most precious legacy. It was dated in the Luxembourg, in January, old style, 1794 (8th Pluviose). The second part is dated October, 1795.

This volume, the hornbook of vulgar infidelity, is now before us, and we have doubted how far we ought to refer to it, or what use to make of it. It has passed utterly out of the world's thoughts, and we have a repugnance, not easily to be overcome, in bringing it to light again. Its blasphemies are enough to sicken the heart; but still it may not be useless, in one view, to show the Christian reader to what dregs infidelity, beginning with refinement and high-bred speculation, will at last come. With this view, and at the risk

of shocking our readers, let us quote a few extracts from this forgotten, but atrocious volume. It is dedicated to "the citizens of the United States of America, by their affectionate friend and fellow-citizen, Thomas Paine." *

"The Christian theory is little else than the idolatry of the Ancient Mythologies, accommodated to the purposes of power and revenue, and it yet remains to reason and philosophy to abolish the amphibious fraud." — *Age of Reason*. Part I. p. 7.

"The Proverbs, which are said to be Solomon's, though most probably a collection, (because they discover a knowledge of life which his situation excluded him from knowing,) are an instructive table of ethics. They are inferior in keenness to the proverbs of the Spaniards, and not wiser than those of the American Franklin." — p. 18.

"If the taste of a Quaker could have been consulted at the creation, what a silent and drab-colored creation it would have been! Not a flower would have blossomed its gayeties, nor a bird been permitted to sing." — p. 55.

"The most extraordinary of all the things called miracles, related in the New Testament, is that of the Devil flying away with Jesus Christ, and carrying him to the top of a high mountain, and to the top of the highest pinnacle of the temple, and showing him and promising him all the kingdoms of the world. How happened it, that he did not discover America? Or is it only with kingdoms that his sooty highness has any interest?" — p. 72.

But our heart fails us, and though we had marked other and more impious passages than these for extracts, we can no further pollute our pages with such ribald blasphemy. Yet the man who could thus write — and the extracts we have made are as nothing in comparison with the obscenities that might be culled from his infamous pages — was invited by Mr. Jefferson to return to America, in a national vessel, and at the nation's expense. Nay more, this very volume — we blush as Christians and as Americans to record it — was written and published, so said Paine, when its writer was under the immediate protection of the Representative of this country near the French Republic. Some of Paine's biographers state, that Mr. Monroe took him from prison and made him

* No part of the Revolutionary jargon has survived, with the exception of "citizen," in which there was once so much pride, and even that has no abiding place, that we are aware of, but in *Hayti*.

the inmate of his house.* The "Age of Reason" was published just before Mr. Monroe was recalled by General Washington, for entering into too close a union with Paine's friends, the surviving Jacobins. Such favor was, after all, but a practical enforcement of Mr. Jefferson's peculiar toleration. "It does me no injury for my neighbour to say, there are twenty Gods, or one God. It neither picks my pocket, nor breaks my leg."

"I have now," says Paine, in closing what he considers the greatest effort of his genius, "I have now gone through the Bible, as a man would go through a wood with an axe on his shoulder to fell trees. Here they lie, and the Priests, if they can, may replant them. They may perhaps stick them in the ground, but they will never make them grow." — p. 85.

And what impression, after all this impious boasting, has this, or any other, effort of the skeptic or scoffer made upon the mind of man? We speak not of individuals, for some, no doubt, have been by such writings seduced into infidelity as obdurate as his. The venerable trees, beneath whose eternal foliage thousands and tens of thousands have taken shelter in all ages of the world, survive and flourish in defiance of him who would attempt to hew them down. The principle of religious belief is, at this moment, more actively prevalent than it has ever been since the birth of our Saviour; it pervades larger masses, is effecting greater results, and an Age of Reason has become, we humbly trust, an Age of Faith. And who can tell how much of this great result is to be attributed to that dismal scene in which Paine was an actor, or what precisely has been the effect of the reaction on the mind of man? The wars of the French Revolution, which continued till the battle of Waterloo, have been succeeded by a longer peace than the Christian world has ever known. It was amidst the clash of arms, that the worst and most indecent infidelity proclaimed itself. It is in the midst of a peaceful world and age, that the religious sentiment has undergone its most remarkable and signal development. The cycle of

* In the latter part of his life, Mr. Monroe affirmed in conversation, that he received Paine at this time into his house only from motives of charity, having found him wandering about, in a state of utter destitution, in the streets of Paris. Paine remained there for some time, though his habits were so offensive, that Mr. Monroe was obliged to place him in a separate apartment on the ground floor.

infidelity was complete with Paine. He was the last of a class, the first of whom were men of education, accomplishment, and intellectual training, courtiers, and statesmen, and scholars, and princes. Such men were Shaftesbury, and Bolingbroke, and Hume, and the Encyclopedists, and Frederic the Great. The last was a kennel scoffer, who, in his writings and his life, showed the fruits of those pestilent and ambitious speculations, which, spurning the restraints which an humble faith imposes, either soar aloft to fall at last the lower, or crawl with venomous malignity on the ground, and perish there. So will it ever be.

It is difficult to believe that Paine's book could do much mischief. Yet we can see how it may. Its very audacity is imposing, and there are those who walk abroad utterly unarmed, whom it may wound. Of the extent of its circulation we have no means of judging. We are not aware of its being reprinted in this country, though we presume it has been, — the only copy we have been able to find being one of those originally printed in Paris, "in the second year of the Republic one and indivisible." And even this copy we had as much difficulty in procuring as Paine had in obtaining a Bible in Paris.* It was reprinted and, we presume, extensively circulated among a certain class of readers in Great Britain; and again the penalties of a state prosecution were fulminated against him, or rather against his printer. But on this occasion, the prosecution had higher motives and sanctions than before. It was no *ex officio* information, instituted by a Crown lawyer, at the bidding of his master, but an indictment duly found by a grand jury, and prosecuted by the eminent man, specially retained for the occasion, who had so eloquently defended Paine for publishing "The Rights of Man." We need not say, that we refer to Mr. Erskine.

It was Mr. Erskine who, on the former occasion, when the Attorney-General cited with approbation Mr. Adams's "Publicola," said, "Let others do like 'Publicola,' answer the book, not prosecute the author." To the "Age of Reason" there appeared a noble and able adversary, one

* "Under these disadvantages I began the first part of the 'Age of Reason.' I had, besides, neither Bible nor Testament to refer to, though I was writing against both, *nor could I procure any*; notwithstanding which, I have produced a book that no Bible believer, though writing at his ease and with a library of Church-Books about him, can refute." — (*Preface to the Second Part of the Age of Reason.*)

who, twenty years before, had been engaged in a kindred controversy with Gibbon. Dr. Watson, Bishop of Llandaff, published his celebrated "Apology for the Bible" as an answer to Paine. This little work, with all its merit, has passed very much out of view. It was intended as a popular appeal in behalf of Revelation, and has no pretensions to any very profound or elaborate views of the subject. It is singularly kind and courteous in its tone, and is in strange contrast with the ferocious ribaldry to which it was meant to be the antidote. The book had an unfortunate title, of which we never think without recalling the remark made on it by George the Third, who, by the by, hated the Bishop for his speech on the Regency Bill. "An Apology for the Bible!" said the King, "what does he mean by that? I never knew the Bible needed an apology." Justin Martyr and Tertullian, to be sure, had written "Apologies"; and Milton had published an "Apology" among his polemical writings; but so had Colley Cibber, and George Anne Bellamy, and perhaps the King was more familiar with these last than with either the Fathers or the poets. Bishop Watson's book was written for the people, not for the palace, and had a great and salutary effect. If it is forgotten now, it is because no one fears the poison as an antidote for which it was prepared.*

On his discharge from prison, Paine remained at Paris, an impotent spectator of the shifting scenes before him, employed, in addition to his infidel lucubrations, with writing occasional pamphlets on French politics. Once he made a sort of amateur speech in the Convention on the constitution of Boissy d'Anglas, but no one listened to, or cared for him. Mr. Monroe succeeded Gouverneur Morris, and threw himself, in violation of the spirit of his instructions,

* In Gouverneur Morris's Diary, in 1795, is an interesting anecdote, given on the authority of Bishop Watson. "He spent a day and night with the Bishop of Llandaff at Colgarth Park near Ambleside. The Bishop told him, among other things, that 'the day the Marquis of Rockingham kissed hands on being appointed minister, he showed him, on the back of a letter, certain conditions he had made with the King and taken down with a pencil. The first was, that the Independence of America should be acknowledged. The Marquis took that precaution, because on a former occasion the King had deceived him. And his Majesty was so hurt by the precaution, that he never forgave the Marquis.' The Bishop, moreover, declared, respecting himself, that he was a stanch opposition man, and a firm, decided Whig." — (Sparks's *Life of Morris*, Vol. I. p. 428.)

into close communion with France. Paine, who was preparing an elaborate libel on Washington, was delighted at the course taken by the minister, which he had sagacity enough to know must cause great dissatisfaction and embarrassment to the President, whom he hated. Paine's letter to Washington, written in Paris, in 1796, and sent home as fit fuel for the flame of partisan malignity, was perhaps the most wanton and atrocious libel he ever penned. The object of his malice soared too high to be reached by such shafts. It is now utterly forgotten.

Mr. Monroe was soon recalled, to be succeeded by General Pinckney, and Paine was again left in friendless solitude. His active career was now rapidly drawing to a close; one more restless movement, and he will be at rest. Let us trace it to the end.

In 1796, Paine's letter to General Washington was published in the United States, and of its temper a fair judgment may be formed from a single passage taken almost at random, like our extracts from the "Age of Reason."

"As to you," (speaking to Washington,) "treacherous in private friendship, and a hypocrite in public life, the world will be puzzled to decide whether you are an impostor or a villain; whether you have abandoned good principles, or whether you ever had any."

This, it will be remembered, was published with the author's name both in Europe and America. So was the "Age of Reason." And yet Mr. Jefferson, who, as well as his friends, thought the letter to Mazzei needed explanation and apology, considered it proper and expedient, before Washington was cold in his grave, formally to invite his confessed calumniator back to this country, and to tender him, at the nation's expense, the means of return. The surmise is neither unreasonable nor uncharitable, that Paine's writings in France, after Mr. Monroe's recall, were far from unpalatable either to the French Government or to a party at home. Nor is it known how far they may have contributed — his friendly relations to the leaders of the opposition to Washington's administration being well known — to produce the state of irritation which, beginning with the insolent refusal of the Directory to receive General Pinckney, continued throughout Mr. Adams's presidency, and almost involved the two nations in actual war.

For a long time Paine was anxious to return to America, without being able to effect it. To return in a private vessel exposed him not only to the cost of his passage homeward, but to the risk of capture and punishment as a fugitive from justice in England. Paine had too fresh a recollection of the Luxembourg to make him at all desirous of a residence in Newgate; and similar, if not worse, he knew, would be his fate, if the blockading squadron off the French ports chanced to exercise a war right of search. He did not dare to expect either General Washington or Mr. Adams to protect such a contraband article as he was, or to commit the indecency of making our public ships convey him. But, in 1802, when Washington was dead, and Mr. Jefferson was President, the opportunity of a safe and cheap return presented itself. The *Maryland*, sloop of war, carrying Mr. Dawson, a member of Congress from Virginia, as bearer of despatches to France, was offered to Paine, and he gladly accepted the proposal.

"I hope you will find us," says Mr. Jefferson, addressing the writer of the "Age of Reason," and the libels on Washington,— "I hope you will find us returned generally to sentiments worthy of former times. In these it will be your glory to have steadily labored, and with as much effect as any man living. *That you may long live to continue your useful labors, and to reap their reward in the thankfulness of nations, is my sincere prayer.* Accept assurances of my high esteem and affectionate attachment.

"T. JEFFERSON."*

Paine landed in October, 1802, and immediately hastened to present himself to the President. It is believed that his reception was far from being as cordial as he anticipated, which may be well accounted for by the repulsive nature of his personal habits, and the rudeness and offensiveness of his deportment to all about him. After contributing largely for a few weeks to the columns of the Administration newspapers, sometimes writing, however, in so revolting a strain on the subject of religion, that the conductors of the press, not the most fastidious, were compelled to mutilate his contributions; after writing, at Mr. Jefferson's request, a demonstrative defence of the gun-boat-system, the absurdity of which even

* Jefferson's *Works*, Vol. III. p. 459.

Professor Tucker admits, Paine at last took refuge on his farm near New Rochelle, where, with the exception of occasional visits to the city of New York, and with no other occupation than corresponding with a few scattered infidels there and elsewhere, he lingered in entire obscurity till his death, on the 8th of June, 1809, at the age of seventy-two.

Of his personal habits, his private career, and the circumstances of his dying hours, of the questions about his true relations to the female who followed him from France, and of whom he afterwards tried to rid himself as an incumbrance, we do not care to speak. On his trial for the "Rights of Man," in 1791, it was proved, by competent and credible testimony, that he was, if not habitually, at least occasionally, a drunkard. There was nothing in his subsequent career, or in his personal appearance, as those who remember him can testify, to discredit this testimony. Alternately at his farm near New Rochelle, scribbling infidel essays, or lounging in the streets of New York, with no other companions than the few who agreed with him in sentiment, and who shrunk not from his loathsome exterior, he continued to the last a fair specimen of that class of men who are stirred to the surface by political excitement, and sink into contemptuous oblivion when the waves are lulled to rest. "Remember me," he says, in a letter written about that time, "to my much respected friend, Carver, and tell him I am sure we shall succeed if we hold on. We have already silenced the clamor of the *priests*. They act now as if they would say, 'Let us alone, and we will let you alone.' Come, ride up and see me. I am master of an empty house, or nearly so. I have six chairs and a table, a straw bed, a feather bed, and a bag of straw, a tea-kettle, an iron pot, an iron frying-pan, a gridiron, cups, saucers, plates and dishes, knives and forks, two candlesticks and a pair of snuff-boxes. I have nothing else, but to this you and Carver, if he will come, are welcome." Thirty years after Paine's death, William Carver, the only friend who seemed to cling to him, died in New York, eighty-five years of age, a squalid mendicant in the streets, too obdurate or too enthusiastic in his persevering skepticism, to ask alms from Christian charity, and unable, so vain are the promises of infidel philanthropy, to find any other refuge open to receive and succour him.

Of Paine's deathbed we do not care to speak. There is no well authenticated account of what then occurred ; and, if there were, in our poor judgment, it would prove nothing. The struggles of bodily disease were never meant to authorize any inference as to the state of mind, the confidence or despair, of the dying man. The condemned captive, who, in full health and in solitude, looks forward to approaching and inevitable death, has a right to claim credit for sincerity, be his opinions what they may ; but the flickering light that is shed on the ghastly and attenuated visage of disease is generally too uncertain to be relied on. All experience shows, that the unbeliever may die calmly and resolutely, and that the truest Christian may shrink back with terror. If the Christian's faith be true, these terrors, if they do not degenerate into despair, — for then it becomes unbelief, — are no sin ; and, in our confidence in the faith which every one may hope will sustain him in his hour of trial, the spectacle of the dying skeptic who is careless and confident is more awful than that of him who shrinks in agonizing terror at the thought of death. Paine did neither. He was a prey to childish fears, but not apparently to the more reasonable fear of death. He dreaded being left alone, or being left in darkness, and screamed, like a terrified child, for his nurse and the light. He insisted on his nurse reading aloud ; but it was not so much in order to take solace from what she read, as to be satisfied by the sound of her voice that she was at hand. And yet, when questioned by his physician as to his religious opinions, he reaffirmed his infidelity with calmness and decision. "Do you believe in the Christian religion ?" asked Dr. Manley ; "do you believe that its truths and consolations can help you ? Come, now, answer me honestly. I want an answer as from the lips of a dying man, for I verily believe you will not live twenty-four hours !" After a pause of some minutes, he answered, "I have no wish to believe on the subject." And these were the last words he is known to have uttered.

We have not left ourselves room to say a word of Cobbett's pilgrimage to New Rochelle, some ten years after Paine's death, of the disinterment of the mouldering bones, and their translation to Great Britain. It was a piece of indecent and ineffectual mockery. The spectacle aroused no sympathy, excited no interest. The bones of the scoffer

were looked on by such of the British people as knew any thing about them, with no more regard than the anatomical student bestows on the unknown carcass before him. Where they lie now no one knows, or cares. And thus ends the story of one who was endowed with abilities that might have made an impression on the world, and have left a memorable trace behind him ; an actor in scenes of commanding interest ; a sagacious observer of what was going on around him ; a speculator in no common spirit on the times in which his lot was cast ; a patriot, in a certain, though a narrow sense ; but, withal, infirm of the only high purpose which consecrates man's career on earth, and poor in the aspirations which alone dignify humanity, — the aspiration for a reward which the world neither gives nor takes away, the mingling of the highest of human qualities, the love of virtue and of truth, with a meek and humble sense of the powers with which God has endowed us, and the love of freedom with a decent reverence for authority and example, which constitute the perfection of human character, that of the conservative and Christian patriot.

ART. II. — 1. *Speech delivered in the Senate of the United States, Jan. 24, 1839, on the Bill to Abolish the Duty on Salt.* By JOHN DAVIS. National Intelligencer of March 25, 1839.

2. *Reports of the Majority and Minority of the Select Committee on the Origin and Character of Fishing Bounties and Allowances.* Read in the Senate of the United States, April 10, 1840. Washington : Blair & Rives, Printers. 1840. pp. 80.

THERE is no error, we think, in stating that no work devoted to the rise and progress of the American Fisheries exists. It will not be wide of the truth to add, that few works would be more useful to the young, and to our countrymen generally. The idea is prevalent, that fishing is a low occupation ; but it is as false as it is common. Equally prevalent and false is the supposition, that these fisheries have

no history but such as relates to the quantity and quality of the food which they annually produce. He who shall correct these errors, and give to this branch of American industry the place which belongs to it in our annals, will perform a valuable service. The subject is worthy of the pen of the grave historian ; the poet might indite many a song, and the novelist weave many a story, from the numerous strange events and thrilling scenes which belong to it. To describe these events, however, forms no part of our present purpose ; and our doubting readers must be content to take the truth of the remark, as to their high and interesting character, upon trust, until another time.

Having given, on a former occasion,* some account of the Whale-Fishery, we design now to devote a few pages to some of the other Sea-Fisheries, and to the manner of catching and curing the various kinds of dried, smoked, and pickled fish, that are found for sale in our markets. These fish are not taken in great abundance within the limits or jurisdiction of the Union ; inasmuch as the best fishing-grounds, whether for cod, pollock, herring, or mackerel, are far north or east of the United States. Those most frequented are the inlets and shores of the Bay of Fundy, the Bay of Chaleurs, the Gulf of St. Lawrence, the Straits of Bellisle, the coast of Labrador, and the Banks of Newfoundland. Fishing at Newfoundland is, probably, the most hazardous. The business is usually commenced in April, and closed in October. It is done while the vessel is at anchor in the open sea, at a great distance from land, and woe too often betides those who engage in it with old, unsound, or ill-furnished vessels.

A vessel intended for service in the Labrador fishery leaves home about the middle of May. Arriving on the coast after a passage of two or three weeks, she enters some snug harbour, and is there moored. There she remains quietly at anchor, until a full "fare" has been obtained, or until the departure of the fish requires the master to seek another inlet. The coast of Labrador is frequented for fishing for a distance of ten or twelve degrees of latitude. It has been preferred to any other, for a long time, on account of its se-

* *N. A. Review*, Vol. XXXVIII, p. 84.

curity, and a general certainty of obtaining a supply of fish. The fishing is done entirely in boats, and the number usually employed is one for about thirty tons of the vessel's register. Here, under the management of an experienced and skilful master, every thing may be rendered systematic and regular. As soon as the vessel has been secured by the necessary anchors, her sails and light rigging stowed away, her decks cleared, her boats fitted, and a day or two spent in fowling and sailing, under color of exploring the surrounding waters and fixing upon proper stations for the boats, the master announces to his crew that they must try their luck with the hook. Each boat has now assigned to it a skipper or master, and one man. At the time designated, the master departs with his boats, to test the qualities of his men, and to mark out for them a course for their future procedure.

The love of power, so common to our race, is exemplified even here, since the *skippers* of these boats, though commanding each but a single man, often assume airs and exercise authority which are, at once, ridiculous and tyrannical ; while their ingenuity in explaining the causes of a bad day's work, really occasioned by idleness, or by time spent in shooting sea-birds, frequently puts the patience and the risibility of the master to a severe trial. If fish are plenty, and not too distant from the vessel, the boats are expected, in good weather, to catch two loads in a day. Their return, if laden, is the signal for the *dressing-crew*, who were left on board, to begin a series of operations which, when completed, leave the fish in the form in which the consumer buys them. From the *dressing-table*, the fish are thrown down the hatch-way to the salter, who commences the process of curing by salting and placing them in layers in the bottom of the vessel. If the master intends to remain on the coast until his fish are ready for market, they are commonly taken on shore as soon as caught, and there dressed, salted, and dried, before being conveyed to the vessel. If, on the contrary, it be his intention to dry them at home, as is now the common practice, the salter's duty is the last that is performed abroad. The English usually cure their fish on the coast. The buildings which are necessary for this purpose are easily constructed ; they consist of an oblong shed, and a rude wharf, called a *stage*. The site selected for the stage is a rocky inlet, where the water is deep, and the beach or

upland drying-place is capacious and convenient. The bait used is a small fish, called *capelin*. This small, but useful fish seldom remains on the fishing-ground for more than six weeks in a season ; a time which is long enough for securing a full supply, and which an experienced and energetic master does not often allow to pass away without one. The average produce of this fishery may be estimated at about ten quintals to every ton of the vessels employed in it, though the best masters are dissatisfied, when they fail to catch a fourth or fifth more.

The selection of a master is a point so important to owners, that a word upon his qualifications and duties will not be amiss. Besides all the responsibilities at sea, which devolve upon a master in the merchant service, he has cares and anxieties, which are unknown to that branch of maritime adventure. His passage being safely made, the master of the merchantman is relieved by the counsel and assistance of the owner or consignee. But it is not so with the master of the fishing vessel. During the period devoted to fishing, his labor is arduous in the extreme ; and come what will, in the desolate and distant regions which he visits, his own sagacity and prudence are his only reliance. If, as not unfrequently happens, he be so unfortunate as to have among his crew two or three refractory spirits, who poison the minds of all the rest ; if others, who boasted loudly in port how well and quickly they could use the *splitting-knife*, or how true and even-handed they were in distributing the salt, prove too ignorant to be trusted ; or if every man under his charge, without being either dogged or incapable, is still of so leaden a mould, as to remain immovable under promises of bounty or promotion ; these difficulties must be but new inducements to use extraordinary personal exertions, and to preserve his reputation at the expense of his health and strength. Even if there are none of these embarrassments to contend with, his ordinary employments require an iron frame and an unconquerable resolution.

A friend who has seldom failed to accomplish what he has undertaken, and whose life has been full of daring enterprises, has often assured us that, while on the Labrador shore, his duty and the fear of making a " broken " voyage kept him awake and at his post full twenty hours every day, throughout the time employed in taking the fish. " Once," said he, " I

was deceived by every man that I had on board of my vessel ; each shipped, as is usual, to perform a particular service, and each boasted of his accomplishments in catching, dressing down, or salting away ; but there was neither a good boatman, an adroit splitter, or a safe salter among them all. My situation was painful enough. I was interested in the loss or gains of the voyage, and was too poor and too young in command, to bear the consequences of returning without a full fare. And besides, I was never good at accounting for bad luck, and felt that it was far easier for me, even under these untoward circumstances, to fill my vessel, than to explain to every one who would question me at home the causes of failure. And the result of the matter was, that I got as many fish per ton and per man, as any vessel that I met on the coast." "Another season," says the same friend, "while in the West India trade, I was disappointed in obtaining a cargo, and was compelled to go to Labrador, or haul my schooner up. I was too restless to be idle, and resolved upon fishing. It was three weeks too late, and, on attempting to ship a crew, I found that no good men were to be had, and that I must take raw Irishmen, and a drunkard for a mate. The chances, as you may well suppose, were all against me, but I made the voyage, and obtained as many fish as my vessel could carry. But I always had pistols in my pockets, and enforced most of my orders with a threat or a handspike. I slept full dressed, and with arms in my berth. A battle with one or more was almost of daily occurrence, and I was in constant fear either of losing my own life, or of being compelled to take that of some one of my crew, to overawe the rest." These incidents occurred on voyages made from a port on the frontiers of Maine, and before the commencement of the Temperance reform ; and are, of course, to be regarded, not only as having been rare in former times, but as never happening now. But the master's duty, if he be an efficient man, is never an easy one. If he would provide against every contingency, and make sure of a cargo despite of every adverse event, he must not even allow himself the full repose which nature craves. It is upon his regularity and perseverance in procuring fresh bait, a service which must sometimes be performed at the hazard of his life, upon the frequency of his visits to his boats, which are often miles asunder, upon his readiness to use his own hands

to make up the laggard's deficiency, upon his economy and system in the use of time and outfits, upon the degree of energy and regularity which he infuses, and, finally, upon the care which he exercises in dressing and salting the object of his search, that the success or failure of the voyage mainly depends. Masters who are able and willing to sustain these varied and incessant calls upon their bodily vigor and mental activity are to be found, probably, in every fishing port. But it is very certain, that the number has sensibly diminished during the last twenty years, and that the transfer to other and more profitable and ambitious commands is still going on. The mercantile men of the commercial capital of the North, and the packet-ships of the commercial emporium of the Union, rank deservedly high. But were their counting-rooms and quarter-decks to yield up all, or even half, of those whose birth-places were on the Capes of Massachusetts, and whose earliest adventures were made in the fishing craft, they would lose many high and honored names. So, too, were either to cease recruiting from the same sources, the humble employment of which we are speaking would speedily become more prosperous and, in public estimation, more respectable.

The cod-fishery in the Bay of Fundy differs in many respects from that of Labrador. It commences earlier, and is pursued more irregularly, and to a later period of the season; while it yields larger and better fish, and, from the greater depth of water and rise of tide, requires much longer lines. This fishery is pursued principally by the people who live along the shores of the Bay, and by the fishermen of the eastern part of Maine. The vessels which are employed in it, though of greater variety, are neither so large nor so valuable, as those which are required for the more hazardous and distant fishing-grounds; and, unlike these, it allows of the use of sail-boats of the smallest size, as well as of those which can be propelled with safety and celerity by the oars of a single man. The vessels anchor upon the outer grounds as often, and for such times, as the weather permits; while the boats keep within the passages, and about the ledges, with which the Bay abounds. The time used for fishing is just before high-tide, and just before low-water, which states of the sea the fishermen call *slacks*. Most of the fishermen own or occupy small farms, situated

on or near the shores of the Bay ; so that fishing is an occasional, rather than a constant employment with them. For some of them, who live upon the mainland, however, and many whose homes are upon the islands, the sole reliance for support is the hook and line. Two hundred boats are sometimes in sight at Eastport, and when, by a turn of the tide or a change of the wind, the little fleet draw together and float past the town in line, the scene is not without interest, even to those who have witnessed it hundreds of times.

From the earliest, or, as they are called, the *spring fares* of the cod-fish obtained in the Bay of Fundy, are made a considerable part of the table or *dun*-fish, that are consumed in the New England States ; and, next to the Isles of Shoals fish, they are undoubtedly the best. Those caught in boats are seldom fit for *dunning*. They are commonly sold fresh, to the little fishing-stands or trading establishments set up by the more independent islanders. But owing to a variety of causes, the process of curing is so imperfectly performed, that none are so good as those caught in vessels, and many are wholly unfit for human food. The sprinkling of lime, however, over the defective parts, a practice which the fishermen deem entirely honest, will deceive the eye and quiet the nasal organ of the inexperienced or careless purchaser. These waters afford, also, a considerable part of the fish known among dealers as *pollock*, *hake*, and *haddock*. They are usually taken when fishing for the cod, and by the same means. The "Quoddy-pollock" is a great favorite everywhere in the interior, and is to be found in almost every farm-house of the north. The hake-fishery of this Bay is small ; nor is it of much consequence on any part of the American coast. The hake and the haddock are poor fish, and neither commands more than half the price of the cod. The hake, however, yields a larger quantity of oil, and is, therefore, held in estimation by those who catch it, and are not compelled to eat it. The haddock, when fresh, suits the taste of some, but, when dried, it is without reputation even in the hut of the negro, who is doomed to be its principal consumer. There is a tradition in Catholic countries, that the haddock was the fish out of whose mouth the Apostle took the tribute-money ; and that the two dark spots near its gills preserve to this day the impression of his thumb and finger.

We turn now to a brief consideration of the herring-fish-

ery. The herring in many varieties is taken in large quantities in the principal seas of Europe and America; and some of the principal cities of the former owe their foundation, perhaps much of their present commerce and wealth, to the prosecution of this fishery. To persons who are familiar with the character and rank of the mass of herring-catchers of the present day, an account of the mania on this subject in England, two centuries ago, seems almost incredible. We have no space to go into details; nor can we even relate incidents to show how vast were the projects, and how magnificently rich were the joint-stock associations, that were formed by noblemen and princes of the blood *to catch and cure herrings!* But we may remark, that the "operators" in timber lands and corner lots of cities under water, of 1834, were more sensible, as well as more successful, than these speculators of former days. This branch of industry, as pursued in American waters, produces food of various qualities. The herring is cured both by salting and smoking, and by salting and pickling. When by the first method, it is packed in boxes; when by the latter, in barrels. Nearly the whole amount of that well known luxury of the suppertable, the *scaled-herring*, is taken in the Bay of Fundy, and its tributary, the Passamaquoddy. The best are found and cured in the vicinity of Digby, Nova Scotia, but those of our own fishing-grounds treat the palate to a great delicacy. They were caught for many years by means principally of lighted torches, made of the outer bark of the white birch.

The practice was, for one or two men to place a light of this description in the bow of a small boat, and then to drift about the favorite resorts of the herring, on very dark nights, and to bail in, with a dip-net, all that were attracted to the surface of the water. The islanders have a story, that the discovery of the attracting properties of light was accidental. They relate that, many years ago, a fisherman who lived on Campo-bello,* and who chanced one night to be on the side of one of its little harbours, opposite to his own house, on remembering that he had no fire at home, took some chips and coals in a skillet to carry across; that, during the passage, the chips took fire and blazed up; and, on

* An island on the New Brunswick side of the Bay of Passamaquoddy.

his landing, he found that a large number of herrings had followed him to the shore ; and that this circumstance induced experiments, which resulted in abandoning the former practice of using "set-nets" and "wears." These nets and wears are, however, becoming favorites again; and, should the torch-lights be completely extinguished, of which there is certainly some fear, the inhabitants of the frontier towns of Maine will be deprived of one of their finest sights, and sojourners among them of one of their most attractive and peculiar scenes. To watch, from the headlands and beaches, the movements of the "herring-drivers," has been a pleasurable recreation there for years. We have seen a spacious harbour, and the coves and indentations in its neighbourhood, most beautifully lighted up, as with hundreds of lamps, and each light heaving and falling with the motion of the sea. Far in the offing, the torches, no larger to the eye than a candle's flame, would move and dance, approach and cross each other, and then vanish away; while nearer, and perhaps within a stone's throw of the position which we occupied, their red flare would reveal every act of the fisherman, as time after time, he drew in the fish which he had lured to destruction. On shipboard, too, when entering or leaving the Passamaquoddy, we have seen these lights in all directions, and they served to relieve loneliness and to excite interesting imaginings.

The herrings thus secured and intended for smoking are washed the morning after being caught, and the scales of all that are fat enough to shed them are forced off by friction, when they are salted away in casks. As soon as they are sufficiently "struck" with the salt, they are again washed, spitted, or strung upon small round sticks of three or four feet in length, and hung up in the smokehouse. In spitting, as well as in hanging them up, great care is necessary to prevent the fish from touching each other. They are placed, tier above tier, upon wooden fixtures supported by joists, until the house is full. The distance from the lower tier to the floor is commonly about seven feet. Fires of wood are now lighted, and the great art is to manage these fires in a proper manner, inasmuch as they must neither be too quick nor too slow, and, at times, they require to be extinguished. Wood just taken from the forest is the best, but old and water-soaked fuel is sometimes used, to the serious injury both of the color and the flavor of the fish. The time occupi-

ed in smoking them is not far from three weeks. To cure herrings well, good weather is quite as necessary as good fuel and carefully tended fires. After being sufficiently smoked, the fires are allowed to go out, and, as soon as the house has become cool, the fish are taken down, slipped from the sticks, sorted into three qualities, and packed in boxes. The houses in which the smoking is done are mere huts, without floors, and without other finish than rough board walls, and roofs of the same, battened with slabs. In some cases, however, a wiser use is made of money, and sufficient expense is incurred to erect durable buildings. The upper part and the roof are always intended to be tight, both to retain the smoke and to exclude the rain and damp. These houses are of various sizes, some being large enough to hold one thousand boxes of the fish when on the sticks, while others will contain no more than a fourth part of that quantity; the largest and best finished are the most economical. The business of smoking herrings is confined, mainly, to the region of which we are now speaking. The price in the markets to which they are usually sent is sometimes ruinously low, and the poor fishermen are often deprived of adequate recompense for their labor. The quantity exported from the eastern part of Maine often exceeds eighty thousand boxes in a year, while the average of ten years may be estimated at three-fourths of that quantity. Besides these, some thousands of barrels are annually pickled. The article known among dealers as the *gibbed-herring* is a good substitute for the second quality of mackerel.

The Magdalen herring-fishery, in which our citizens are allowed to participate by treaty stipulation, has been thought to be of considerable value, as a means of employing vessels too small for carrying freight, in the early part of the season. It has been prosecuted with various success. At times, our vessels have procured forty or fifty thousand barrels in a year, while, at other periods, few have engaged in it. At present, little or nothing is done in it, and we are among those who hope, that it will never again be regarded as worth pursuing. The Magdalen islands are seldom visited, except in spawning time, when the herrings are poor; and as but little pains are taken in curing them, they often prove unfit for food. We have seen whole cargoes, that would poison the air of a neighbourhood, and that were hardly good

enough to be carted away and spread upon the grass-fields. They are caught in large seines, which require fifteen or twenty, and sometimes forty men, to manage them ; and which are capable of enclosing and bringing to the shore from two hundred to one thousand barrels, at a haul. When taken from these seines, the common practice has been to put them into the hold of the vessels without washing, and without divesting them of the offal. Thus they are salted, as it is termed, *in bulk*, and thus they remain, until the vessel arrives in port, when they are taken out and packed, sweltering in all their impurity. Some masters and owners, to their credit, seem to have acquired some notions of decency, not to say of honesty, and have been at the labor and expense of curing them in a proper and wholesome manner. Should the fishery ever be prosecuted again to much extent, it is to be hoped that the erroneous and dishonest practices of the past will not be renewed, or that, if any one of them be revived, prompt punishment will be administered to the guilty master, and the far more guilty inspector. The herrings which are procured on the coast of Labrador are as unlike those of the Magdalens as possible, since they are fat and well flavored. It is to be regretted that so few of them are taken, inasmuch as a more abundant supply of so excellent an article of food would probably lead to the disuse of the inferior kinds of dried fish, and render poorer and badly cured herring entirely unsalable.

Returning once more to the fisheries of the Bay of Fundy, we conclude our notice of the herring with a remark or two as to the value of the privileges for the building of wears. Until lately, such privileges have seldom been rented, or taken into account, in estimating the price of the estates to which they are appended. In proportion to the discontinuance of "driving" by torch-light, and the substitution of wears and set-nets, they have become the objects of desire and litigation, and sources of income. The necessary beach for a wear, with sufficient upland for a smoke-house, commands, in some cases, a rent of two hundred, and even four hundred, dollars annually.

Before we proceed to speak of the manner of catching and saving mackerel, we must commend to the kindly regards of the reader a most singular being — the herring-fisher of this Bay. Few that see him are likely to forget

him. He is neither so moral, so intelligent, so willing to pay his debts, or so temperate or industrious, as he might be ;—still, he is an improved and improving man. Bred to the use of boats from his earliest youth, he displays astonishing skill in their management, and great boldness in his adventures. He will cross, in the stormiest weather, from island to island, and go from passage to passage, through frightful whirls of tides, which suddenly meet and part with a loud roar ;* and he will drive headlong, as it were, upon rocks and bars, merely to show how easily he can shun them, or how readily he can “go about.” He is neither a landsman nor a seaman, a soldier nor a marine, but you would think by his talk that he could appear to advantage in either of these characters. He is neither a merchant nor a mechanic, and yet he can buy and sell, mend and make, as expertly as either. In the healing art he is wise above all others ; and fancies that he possesses a sovereign specific for every ailment which all the world beside considers as incurable. He holds nautical instruments in high derision ; for the state of the moon, and the weather predictions of the almanac, the peculiar sound of the sea when it moans, and the particular size or shape of a “cat’s-paw” or “glin” in the sky, lead him to far surer results. He will undertake nothing upon a Friday, and can prove by a hundred incidents how infallible are the signs and omens which he believes in. He thinks to die in his bed ; true it is, that he has been over-set, that his boat has sunk under him, and that a vessel has run over him ; but he is still alive, and why should he suppose that he can be drowned ? His “fish stories” are without end. In politics, he goes for the largest liberty. He has never heard of easements or of prescriptions, but he occupies, at will, both beach and upland, without any claim to the rights of either ; and will browbeat the actual proprietor who has the temerity to remind him of their relative positions. Against speculators he wages perpetual war ; why should he not ? since it is they who put up the price of flat-hooped, fine, middlings flour, and put down the price of fish and oil !

* The ordinary rise and fall of the tide is twenty-two feet. The rapidity with which it rushes by the points of land, and through the narrow straits between the islands, creates dangerous cross-tides, eddies, and whirlpools.

And who shall do justice to his dress, and to his professional gear? The garments which cover his upper and nether man he calls his *ile sute*. The queer-shaped thing worn upon his crown is a *sou-wester*, or, if the humor takes him, a *north-easter*. He wears neither mittens nor gloves, but has a substitute which he has named *nippers*. When he talks about *brush*, he means to speak of the matted and tangled mass which grows upon his head, or the long, red hair under his chin, which serves the purpose of a neck-cloth, or of that in front of his ears, which renders him impervious to a dun. His boots are *stampers*. Lest he should lose the movables about his person, he has them fastened to his pockets by *lannairds*. One of his knives is a *cut-throat*, and another is a *splitter*. His apron of leather or canvass is a *barvel*. The compartment into which he throws his fish as he catches them is a *kid*. The state of the moon favorable for "driving" he calls *darks*. The bent-up iron hoop which he uses to carry his burning torch is a *dragon*. The small net with an iron bow and wooden handle is a *dip-net*, because it is with that that he dips out of the water the fish which his light draws to the surface. His *set-net* is differently *hung*, and much larger; it has leads on its lower edge, to sink it its width in the water, and corks upon its upper edge, at regular intervals, to buoy it up, and preserve it nearly in a perpendicular direction, so that the herrings may strike it, and become entangled in its meshes. Nor does his dialect end here. Chebacco-boats and small schooners are known to him as *pinkies*, *hogies*, and *jiggers*. He knows but little about the hours of the day or the night; every thing with him is reckoned by the tide. Thus, if you ask him what time he was married, he will answer, "On the young flood last night"; and he will tell you, that he saw a certain man this morning about "low-water slack"; or, as the case may be, "just at half flood," "as the tide turned," or "at two hours to low-water." If he have fish to sell, and is questioned as to their size, he will reply that they are "two quintle" fish, by which he means that fifty will weigh one hundred and twelve pounds. If he speaks of the length of line required on the different fishing-grounds, he says that *two-shots* are used on the Banks and in the Bay of Fundy, and but *half a shot* at the Labrador; by a *shot* he means thirty fathoms, or the length of an ordinary line. He is kind and hospitable

in his way ; and the visiter who is treated to *fresh-smother, duff*, and *jo-floggers*,* may regard himself as a decided favorite.

Though the man we have described is no countryman of ours, and was to be seen playing the soldier on the easterly side of the St. Croix, during the recent troubles on the Aroostook, we have bestowed considerable time upon him, because some of his qualities of character and forms of speech are common to most of the class to which he belongs ; and because his nets, knives, and other gear are in general use. In days gone by, both he and many of our own fishermen were lovers of strong drink. In a petition to Congress sent from Marblehead, in 1790, which contains a number of calculations as to the losses and gains of the fishing business at that period, and which claims relief from the onerous duties imposed upon the articles used in constructing and fitting out fishing vessels, it is stated, that the impost paid to the Government, on the quantity of molasses necessary for a vessel of sixty-five tons and eleven men, was only ninety-nine cents, while that on rum for the same, was just fourteen dollars ! This was a melancholy state of things, it must be confessed ; but worse occurred before a better, inasmuch as, some twenty-five years later, masters, whose own sobriety was above suspicion, and whose notions of economy were rigid, would often require for a voyage to Labrador eight, and even ten, gallons of rum for every man on board. Masters who now contend that one tenth of this quantity, or indeed that any quantity, is necessary for drink on a similar voyage, are seldom found or employed.

It is frequently said, that the mackerel-fishery is of very recent origin, or that, at least, vessels were not employed in it until about the close of the last, or the beginning of the present century. Both suppositions are entirely erroneous. We have refrained from tracing the slightest historical sketch of the cod and herring fisheries, and must continue to observe the same rule. But, did it comport with our present purpose, we could present facts and statistics, so numerous and so well authenticated, as to leave no possible doubt on the minds of any, that this fishery was commenced more than two centuries ago ; that, in fact, it is as old as any other ;

* Pot-pie of sea-birds, pudding, and pancakes.

that it employed even a hundred vessels yearly, prior to the Revolution ; and that the exports of mackerel reached the value of £50,000 currency, in a year.

This fish is one of the most beautiful that the sea affords. Its habits are continually changing, and, with them, the modes of catching it. Fifty years after the settlement of Plymouth, the practice prevailed of taking it in seines by moonlight ; * and seines are still used to great advantage and extent in some parts of Nova Scotia. The fishermen of New England, at the present time, use the hook principally, though there are indications that some other means must be resorted to, or the business be abandoned. When first seen upon the coast in the spring, the fish is thin and poor, and voyages in quest of it hardly pay their expenses, even when full fares are obtained. The course of our fishermen in pursuit of the mackerel is commonly as follows. They seek for, and generally find it, in the vicinity of the Capes of the Delaware, about the month of May ; and, following it north and east, as the season advances, they “ make fares ” in the Bay of Fundy, in July and August, in the Bay of Chaleurs, in September, and sometimes in the latter Bay and the Gulf of St. Lawrence, in the month of October. More frequently, however, they are following it on its return west and south, before the equinoctial gale. They seldom pursue it further in autumn than the capes of Massachusetts, or the shoals of Nantucket. At times, great quantities are taken along the coast, in small boats ; and landsmen, women, and children leave their accustomed employments, and, by the use of pans, baskets, trays, pitchforks, and the like, show how true it is, that “ necessity is the mother of invention.”

The master of the mackerel vessel, after reaching some well known resort of the fish, furls all his sails except the main-sail, brings his vessel's bows to the wind, ranges his crew at proper intervals along one of her sides, and, without a mackerel in sight, attempts to raise a *school* or *shoal*, by throwing over bait. If he succeeds to his wishes, a scene ensues which can hardly be described, but which it were

* This was at Cape Cod. In 1670, the government of Plymouth Colony granted the profits of the cod, mackerel, bass, and herring fisheries there for a free school. This school was established, and is said to have been the first *ordained by law* in New-England. See Thacher's *History of Plymouth*, p. 302, and *Coll. Mass. Hist. Soc.*, Vol. IV. 2d Series, p. 79.

worth a trip to the fishing-ground to witness. We have heard more than one fisherman say, that he had caught sixty mackerel in a minute ; and when he was told, that, at that rate, he had taken thirty-six hundred in an hour, and that, with another person as expert, he would catch a whole fare in a single day, he would reject the figures, as proving nothing beyond a wish to undervalue his skill. Certain it is, that some active young men will haul in and jerk off a fish, and throw out the line for another, with a single motion ; and repeat the act, in so rapid succession, that their arms seem continually on the swing. To be *high-line* * is an object of earnest desire among the ambitious ; and the muscular ease, the precision and adroitness of movement, which such men exhibit in the strife, are admirable. While the *school* remains alongside, and will take the hook, the excitement of the men, and the rushing noise of the fish in their beautiful and manifold evolutions in the water, arrest the attention of the most careless observer. Oftentimes the fishing ceases in a moment, and as if put an end to by magic ; the fish, according to the fishermen's conceit, panic-stricken by the dreadful havoc among them, suddenly disappear from sight.

Eight, ten, and even twelve thousand have been caught, and must now be "dressed down." This process covers the persons of the crew, the deck, the tubs, and every thing near, with blood and garbage ; and, as it is often performed in darkness and weariness, and under the reaction of overtaken nerves, the novice, and the gentleman or amateur fisher, who hitherto had seen and participated in nothing but keen sport, become disgusted. They ought to remember, that in the recreations of manhood, as in those of youth, the toil of hauling the hand-sled up hill is, generally, in proportion to the steepness and slipperiness which give the pleasurable velocity down.

The approach of night, or the disappearance of the mackerel, closing all labor with the hook and line, the fish, as they are dressed, are thrown into casks of water, to rid them of blood. The deck is then cleared and washed ; the main-sail is hauled down, and the fore-sail is hoisted in its stead ; a lantern is placed in the rigging ; a watch is set to salt the

* To catch the greatest number of fish.

fish and keep a lookout for the night ; and the master and the remainder of his crew, at a late hour, seek repose. The earliest gleams of light find the anxious master awake, hurrying forward preparations for the morning's meal, and making other arrangements for a renewal of the previous day's work. But the means, which were so successful then, fail now, and perhaps for days to come ; for the capricious creatures will not take the hook, nor can all the art of the most sagacious and experienced induce them to bite. Repeating, however, the operations which we have described, from time to time, and until a load has been obtained, or until the master becomes discouraged, or his provisions are consumed, the vessel returns to port, and hauls in at the inspector's wharf, where the fish, many or few, are landed, sorted into three qualities, weighed, re-packed, re-salted, and re-pickled. In two or three days, she is refitted and on her way to the fishing-ground. Meanwhile, the owner, and all others who inquire, " what luck," learn from some wise " old salt " (and there is always a Sir Oracle) how much knowledge the mackerel have acquired since the previous season. Having been thus employed until the cold weather approaches, or the fish leave the coast, the smaller vessels haul up, and their *skippers* pass the winter in cracking nuts, relating stories, and accounting for bad voyages, or boasting of good ones ; while the larger vessels go south, and engage in freighting.

The superiority of sound, strong, and well furnished vessels over those of opposite qualities may seem too apparent to require a word of notice. Many poor ones are nevertheless employed, and so are poor masters ; but the misplaced economy of trusting to either is becoming so perceptible, that their number is rapidly diminishing. Yet we may be pardoned for relating a single fact, illustrative of the folly of retaining in use a solitary vessel that ought to be, or one master that seeks to be, in a harbour, during any of the gales which occur on our coast just before the equinox. Some four years ago, between Mount Desert and Cape Sable, there were, one day, three hundred vessels in sight of each other ; and, as was judged, they were mostly mackerel-catchers, meeting with more than the average success. The moderate breeze of the morning freshened towards noon, and, as night approached, there were strong indications of a storm. A movement was soon perceptible throughout the

fleet, and it finally scattered and sailed away. The stanch vessels, which were controlled by stout hearts, sought an offing ; but the rest, the shelter of the nearest haven. Two thousand men, probably, were thus interrupted in their employment ; — but mark the issue ; the vessels that kept their positions, under their storm-trimmed foresails, escaped unharmed, and resumed their business early the next day ; while the refugees were seen no more for four days, two of which were excellent for fishing, and during that time many vessels caught from a quarter to a third part of a full fare.

The bait, which, we have said, is thrown overboard to attract the fish to the surface, is usually composed of small mackerel, or salted herrings, cut in small pieces. As economy and success alike require a careful use of it, the master seldom allows other hands than his own to dispose of it. It was formerly the duty of the man who kept the watch on deck, in the night, to cut the bait on a block. But the *bait-mill* has taken place of this noisy and tedious process. Nothing, certainly, in the time of any fisherman now living, has occasioned so much joy as its introduction. This labor-saving, sleep-promoting machine, as constructed at first, was extremely simple. It was a box, which was made to stand on end, and had a crank projecting through its side ; while internally, it had a wooden roller, armed with small knives, in rows, so arranged that, when the roller was turned, the fish to be ground or cut up should undergo the operation by coming between these rows of knives and others which were arranged along a board that sloped towards the bottom.

As already remarked, the mackerel fishery is as old as any other, and was commenced in Massachusetts. This State not only took the lead, but retains it. The business has been extensive and successful ; at present, it is diminishing.* In 1832, the returns show, that upwards of 383,000 barrels were inspected in Massachusetts alone, while those of 1842 exhibit the inspection of only 76,000 barrels, which is 20,000 more than in 1841 ; and the statistics of the fishery of Maine present results and comparisons even more unfa-

* In 1804, the inspection in Massachusetts was only 8,079½ barrels ; in 1807, it was 10,904½ barrels ; in 1811, 19,632 barrels ; while in 1813, it was only 3,832½ barrels, and in 1814, but 1,349 barrels. It had risen, in 1816, to 30,021 barrels ; in 1818, to 47,210 ; in 1819, to 105,433, and in 1830, to 308,462 barrels.

vorable. There is certainly no lack of skill and perseverance on the part of those who are now so inadequately rewarded for their capital and labor. Whether the numerous and increasing "broken voyages" are to be attributed to a decrease of fish, or to a change of its habits and places of resort, we shall not undertake to determine. The opinions of many practical men are mere whims and fancies; and, though amusing enough, are not worthy of record.

It will be remembered, that in enumerating the principal fishing-grounds, it was stated, that the most valuable of them are situated beyond the limits of the United States. In concluding this part of our subject, we must be permitted to dwell for a moment upon this fact, and to deduce from it an argument in favor of the policy of maintaining protective duties. From the magnitude of our fisheries, in the periods of their prosperity, it may be thought that they can hardly be increased; and that treaty rights are quite as valuable as ownership of, and proximity to, the scenes of labor.* The error of such a conclusion may, we conceive, be placed beyond dispute. Aside from the fishery at desolate Labrador, or that of stormy Newfoundland, the seas which wash the shores of New Brunswick and Nova Scotia teem with cod, mackerel, and herring. Thus the British colonists may take them in any desirable quantities, at their very doors, and without the expense of large vessels, or extensive outfits; while the pursuit of these fish, at their more distant haunts, is attended with less cost than from the ports of Massachusetts and Maine; for the reason that the timber, labor, iron, cordage, and canvass, necessary for the construction and equipment of vessels, and the salt, hooks, and lines for their outfits, are much cheaper. These advantages will be acknowledged at once, and, unless the observation of many years has led us astray, they are too great to allow of an entire repeal, or even a reduced scale, of impost. We know something of the energy and skill of our fishermen, and appreciate them highly; but we feel quite certain, that, under a system of uni-

* The quantity of smoked and dried fish caught and cured in the United States, in 1840, was 773,947 quintals, and of pickled, 472,359½ barrels. The quantity in Massachusetts, was 389,715 quintals of smoked and dried, and 124,755 barrels of pickled. In Maine, it was 279,156 quintals of smoked and dried, and 54,071 barrels of pickled; and in New Hampshire, 28,257 quintals of smoked and dried, and 1,714½ barrels of pickled.

form, *ad valorem*, or a sensible reduction of specific duties, their colonial competitors would take from them the supply of our own markets, as they already have taken away the principal markets of Catholic Europe.

Severely as a change of policy with regard to foreign productions of the sea would be felt by all the branches of industry under notice, the mackerel fishery would, probably, suffer first and most. During certain months of the year, as we have already said, our vessels seek the mackerel in the waters of Nova Scotia and other British possessions ; but, as our treaty with Great Britain requires them to keep the open sea, the fishery in the narrow straits, by the means of nets and seines, is in colonial hands exclusively. The quantities of fish which are sometimes taken in nets and seines are immense. It is not long since forty thousand* barrels were caught in three harbours of Nova Scotia, in a single season. To secure two, four, six, and even eight hundred barrels at a time, it was only necessary to set a seine, to tend it, and, at the proper time, to draw it to the shore. Competition without protection, when such rewards as these await adventures which involve no outlay whether for vessels, outfits, or wages, but which are attended with results that richly pay for a heavy expenditure for them all, would be, we think, impossible. We must leave the topic with the additional remark, that the lot of our fishermen is hard enough, at best ; and that the battles which they have fought, and which, in the course of events, they may be called to fight, ought to prevent its being made worse.

We might well conclude our labors here ; but the growing disinclination in some quarters to foster this branch of industry must be our excuse, for continuing them a little longer. Mark Antony, who was a keen fisher, was told by Cleopatra to “leave fishing to us petty princes of Pharos and Canopus” ; leave it, is the sentiment yet, to “the ignorant, the

* This quantity is more than one tenth of the whole quantity obtained by all the vessels of Massachusetts, in the most prosperous year ; and may seem too large. But the statement is made on the best authority. It might have been added in the text, that these three harbours can all be entered in sailing a distance of twelve miles ; and that the owner of an estate where seines are in use has received, in one year, one thousand two hundred barrels of mackerel for the rent of the waters and privileges belonging thereto.

superstitious, and the improvident." If ignorance be necessarily despicable, then those called to be "fishers of men" were proper objects of contempt. If superstition be pitiful, then it was not Bacon's real or supposed vices, but his faith in astrology, and his connexion with a fishing colony at Newfoundland, which made him, in the poet's mind, the "meanest of mankind." The world rings with the enormities of the Salem Delusion ; it should wonder, rather, that witchcraft in America was so nearly confined to the fishing county of Essex, at a period when all England was peopled with witches and goblins, and when the venerable and devout Sir Matthew Hale doomed two women to be hanged for vexing with fits the child of a herring merchant. If to misspend the mere pittance of one's own earnings be monstrous improvidence, — what shall be said of sporting patrimonies, and of wasting whole estates ? The thirty pieces of silver bought their man, — but not among those who had cast their nets in the sea of Galilee. The battle of Worcester was lost to the second Charles, and he fled for his life ; and who were more true to him, in his hour of need, than the fishermen ? Strange it was, that one of them, whose little bark he had made prize of in the time of his father, should have borne him from the shores of England. "By the grace of God," said the true-hearted man, "I will venture my life and all for him, and set him safe on shore, if I can, in France." So, too, the battle of Culloden sealed the fate of Prince Charles Edward, the "Pretender" ; and he also fled. Thirty thousand pounds was the price which tempted men to betray him ; but he sought the huts and the boats of the "ignorant, the superstitious, and the improvident" class, that had been true to his dynasty ; and he was safe. When Gifford, the critic, — whose unsparing severity will not soon be forgotten or forgiven, — was forlorn and in rags, and in his misery had ceased to hope, almost to wish, for a change, the pity of the fishermen's wives of Brischam, and their continual rehearsal of the story of his sufferings to others, caused his removal from a coasting vessel to a school.

The Emperor Charles the Fifth visited the grave, and erected a monument to the memory, of Beukels, who invented the process of preserving the fish of Holland in pickle ; but the sneer, that "Dutchmen's bodies are built of pickled herrings," was not withheld. Massaniello, the young

fisherman of Naples, who led his countrymen in their revolt against Spanish rule, and rose to supreme power more rapidly than mortal ever had done before him, was at last shot down without trial, like a dog ; but would the nobles have thrown money to the rabble that dragged the mangled body through the ditches of the city, had one of their "own order" come to so dreadful an end in the attempt to redress personal wrongs as great as his, and public miseries inflicted by foreign hands ? The benevolent heart of Roscoe assisted and protected the poor Welch fisher-boy, whose astonishing attainments in the darkest recesses of ancient learning were a kingdom's wonder ; but could the literary world endure calmly to hear one "as ragged as a colt" say, of Dr. Parr, that he was "less ignorant than most men" ?

And to look into our own history, — was no disquiet entertained, when Phips attained to the chief magistracy, under William and Mary's new charter to Massachusetts ? Why, even the Indians of Maine, says a historian, were "amazed" at the elevation to such dignity, of one with whom they "had hunted and fished for many a weary day." When the son of an Isles of Shoals fisherman was offered the command of the expedition to be sent against Louisbourg, Whitefield talked to him of the "envy" of men, and of their "endeavours to eclipse his glory," and he spoke truly. The service on which Pepperell embarked resulted in giving peace to Europe,* and in earning for himself the rank of a Baronet of Great Britain ; an honor not conferred on any other native of New England during her colonial vassalage. Yet a noble peer stood up in Parliament to express his derision of such a reward bestowed on such a man, and to endeavour to show, that the honor of the achievement actually belonged to a British admiral. A fisherman of Maine captured more guns during our Revolutionary war than any other naval com-

* The expression is not too strong. The conquest of Louisbourg, said Lord Chesterfield, "was certainly of great importance, and in the end procured peace," &c. "The Colony of New England," says the Universal History, "gave peace to Europe, by raising, arming, and transporting four thousand men, who took Louisbourg, which proved an equivalent, at the peace of Aix-la-Chapelle, for all the successes of the French upon the Continent of Europe." The speech of Mr. Hartley in Parliament contains sentiments of the same import.

mander in the service ; but how many know so much of him as his name ? *

The romance which once belonged to our subject is among the things that have passed away. The fisheries had their day in turning men's brains, and in creating excitements and speculations. The time was, when whole communities seemed to think that no way to wealth was so sure and so rapid as that which this branch of industry afforded, and when, accordingly, men of the highest rank, and of the most shining talents, set their hopes and fortunes upon the cast of a fishing-line. And in sober truth, is it not strange, that an avocation which founded Venice, and the cities of Amsterdam and Rotterdam, from which sprung up the commerce of Holland and Denmark, and which gave an immense increase to that of England, which required the first quay and the first dock to be built in London, and which loaded the first ship that was built in Boston,† should have fallen so low in public estimation ? Who shall state its true influence, during all the periods of British and French colonization in America ? The first century of our history is often regarded as a mere blank. But the labors and sufferings of those who, throughout that time, constantly visited our seas in search of fish, ought not thus to be disposed of. They were the pioneers of civilization. By their severe toils, they taught other adventurers to the New World to rest their hopes of success on regular industry. The intercourse which they maintained between the two hemispheres kept alive desires which, otherwise, might have become extinct. They persevered, when all others were discouraged. The annual arrival on the coast of from one hundred to three and even four hundred vessels‡ could not have failed to be the germ of some important events. Hence, we

* Samuel Tucker. He took John Adams to Europe in 1779. On the passage he fell in with an enemy. It was agreed to fight her, and that Mr. Adams should retire below, to a place of safety. But Tucker soon observed him with a gun fighting as a common marine, and in tones of authority ordered him to leave the deck. Mr. Adams, however, continued at his post, when, at last, Tucker seized and forced him away, exclaiming, as he did so, "I am commanded by the Continental Congress to carry you in safety to Europe, and I will do it."

† The ship *Trial*. In 1643, she took a load of fish to Bilbao.

‡ The Newfoundland fishery was commenced in the year 1504, by vessels from Biscay, Bretagne, and Normandy, in France. Its increase was rapid.

find, that to her fishermen France was directly indebted for the immense domains which she acquired, and which were finally wrested from her by her great rival. Hence, too, the first law relating to American affairs, which is to be found on that rival's statute-book,* was designed to put an end to exactions upon those who frequented our fishing-grounds. The first of the countless charters which passed the great seal of England, for planting the Protestant faith on our shores, ruined the fortunes and caused the death of the noble Gilbert, to whom it was given.† Though he did little more under it than to mark out fishermen's lots and drying-places, still, this act, and the prior discovery of Cabot, form the title of the British crown to Newfoundland, and to the inexhaustible treasures of the seas which surround it.

The failure of several subsequent attempts to effect permanent settlements at Newfoundland undoubtedly hastened the colonization of more genial regions. Thus, if Mason had succeeded or stayed there, he would not have acquired New Hampshire, or have sent out "fish-mongers" to pursue their calling and erect salt-works at the mouth of the Piscataqua. Nor, if Calvert Lord Baltimore's plantation of "Avalon" had been less unfortunate, would he have aban-

In 1517, it employed as many as 50 vessels of different nations of Europe, and in 1577 the number was 350. The next year, Bancroft says, that "four hundred vessels came annually from the harbours of Portugal and Spain, of France and England." In the year 1593, Sir Walter Raleigh declared that this fishery was the stay of the west counties of England. In 1603, there were engaged in it 200 vessels, and, including the *shoresmen* or curers, 10,000 men. The fishermen then, as now, expended in the winter what they earned in the summer. Whitbourn came to Newfoundland from England, in 1615, commissioned to empanel juries and try offences. He held a court, and the masters of 170 vessels rendered complaints. The irregularities on the coast were very great.

* Act of Parliament of 1548. It prohibited the exaction of money, fish, or other rewards, from the Newfoundland fishermen. The practice had been, it seems, for "certain officers of the Admiraltie" to exact "summes of money, doles or shares of fish, and such other like things," of persons engaged in this business.

† Charter to Sir Humphrey Gilbert, 1578. Five years after, Sir Humphrey came to Newfoundland to found a colony there. He found 36 vessels of various nations in the harbour of St. John's, and was refused entrance; but they finally submitted. His commission was read, and "a turf and a twig" were delivered to him, in token of possession. He brought out "toyes, as morris-dancers, hobby-horses," &c., "to delight the savage people." On his passage to England, his little vessel, of only ten tons, foundered, and all on board perished.

doned it, to become the founder of Maryland.* And besides, the name and opinion of Smith were all-powerful, and his strong and often repeated declarations, that the waters of New England were richer than those of Newfoundland, and that its soil and climate were better adapted to husbandry, must have had a controlling influence upon all whose thoughts were turned toward America.

Did this influence reach the Pilgrims? "What sought *they* thus afar?" The sweet poetess herself has answered, not "the wealth of seas," but "a faith's pure shrine." She has expressed the sentiments of all. But is it so certain, that they "sought" not both? We have no space to argue a question which involves so many inquiries, but we cannot forbear to state, in a few words, some of the principal incidents which attended their coming to their "wilderness home." They fled from England to Holland, where they resided about ten years, at a period, be it remarked, when the Dutch fisheries were at a high point of prosperity, and when the fishing mania was rife throughout maritime Europe.† They became discontented, and desired, from a variety of causes, to change their abode. Many places to which to remove were named; and the advantages and disadvantages of each were amply discussed. Smith, who figures so prominently in the early annals of Virginia and New England, had

* It was Mason who induced Sir William Alexander to undertake the settlement of Nova Scotia; and it may be added, that Sir Ferdinando Gorges, the proprietor or "Lord Palatine" of Maine, was also an associate of Mason's.

Calvert expended £25,000 on his "province of Avalon," and visited it twice in person. After he had abandoned it, he desired to settle in Virginia, but his religion was disliked there, and he turned his attention to the country northward of the Potomac.

† It is said, by writers of authority, that in 1560 the Dutch employed 1000 vessels in their herring-fishery; that the number in 1610 was 1500, and that, in 1620, it was 2000. These estimates are extravagant enough, surely. What shall be thought of Sir Walter Raleigh, who set the value of this fishery annually at £10,000,000, or of De Witt, who said that every fifth person earned his subsistence by it? Yet such statements were believed at the time, and their truth is contended for now. But this was not the only fishing excitement of that age. In 1612, the Dutch sent whale-ships to the Greenland seas, but the British considered them interlopers and compelled them to retire. The year after, French, Dutch, and Spanish ships at Spitzbergen were forbidden to fish, by the same "lords of the seas." British whalers at this time were armed (as is stated). In 1613, the British Russia Company received a monopoly of the whale-fishery, and, the year following, a company in Holland obtained the same exclusive right. In 1618, the controversy on this subject between the Dutch and British terminated in a general war.

just returned from a voyage of fishing and exploration to the latter, and his glowing account of it had just been published.* In the six years which intervened between Smith's voyage and their quitting Holland, a number of English ships had fished on the coast of New England; and the island of Monhegan, in Maine, had become a noted place for the resort of such vessels. These facts lead us to the conclusion, that, in fixing upon the *place* to which to emigrate, *some* reference, at least, was had to "the wealth of the seas." Nor are these all or even the strongest proofs, which tend to the same point. As soon as the decision of the little flock was finally made, some were dissatisfied, and withdrew. The remainder entered into an agreement with merchants in England for advances, for a division of the fruits of their industry at a future time between these merchants and themselves, and for other matters. This agreement expressly provides for prosecuting the fisheries, and the *Speedwell* — that crazy, leaky bark — was bought for the purpose. And besides, when King James's consent to the proposed enterprise was solicited, the monarch asked, "What profit might arise?" He was answered in a single word, "Fishing." Whereupon, James replied, "So God have my soul, 'tis an honest trade; 't was the Apostles' own calling." Can any thing be more conclusive?

Arrived now, though north of their original destination, in a country which they had sacrificed so much to reach, what did they do? The records of their sojourn at Cape Cod show that they were not only anxious to settle on the coast, but on such particular parts of it as would afford them the surest rewards for searching the seas. Nothing is more certain than this; but we cannot go into the proofs. Their good pastor, Robinson, who was the soul of the undertaking, never joined them; but his sons did, and, as one of them settled at Cape Ann, and another at Scituate, we may conclude that they also designed to follow the "honest trade" of fishing.

* "A Description of New England; or the Observations and Discoveries of Captain John Smith (Admirall of that Country) in the North of America, in the year of our Lord 1614; with the Successe of sixe Ships that went the next Yeare, 1615: and the Accidents befell him among the French Men of Ware. With the prooffe of the present benefit this countrey affoordes, whither this present yeare, 1616, eight voluntary ships are gone to make further tryall." Published, London, 1616; republished, *Mass. Hist. Coll.*, vol. 6th, 3d series.

So steadily and successfully was this business pursued, that only fifty years * elapsed from the landing at Plymouth, before an English writer, of high authority in matters of trade, expressed his apprehension as to the events likely to result, in the following remarkable words ; " New England," said he, " is the most prejudicial plantation to this kingdom." And why ? Because, " of all the American plantations, his Majesty has none so apt for building of shipping as New England, nor any comparably so qualified for the breeding of seamen, not only by reason of the natural industry of that people, *but principally by reason of their cod and mackerel fisheries* ; and, in my poor opinion, there is nothing more prejudicial, and in prospect more dangerous, to any mother kingdom, than the increase of shipping in her colonies, plantations, or provinces." Sir Josiah Child, though alarmed too much, probably, at what then was, still saw with a prophet's eye what was to be.

The subject thus briefly and imperfectly noticed may be resumed on a future occasion. It is full of interesting incidents. The fisheries, before the development of other resources, were of the first moment. Through all the changes and chances of our colonial submission, through all the wars and territorial and maritime disputes between France and England, touching their respective possessions in America, through the Revolution and the negotiations for peace, they occupy a most conspicuous place in our annals ; and were often the hinge on which turned events of vast consequence. The people of New England shed their blood for them at Port Royal, Canseau, Louisbourg, and Quebec ; and it was in putting down French pretensions, that they acquired the skill and experience necessary for the successful assertion of their own.†

* The Discourse on Trade was actually written five years earlier, but was not published until 1670.

† Though the general truth of the statement in the text will not be disputed, it may be that some are not aware how many of the distinguished men of the Revolutionary era were engaged in the two wars with France, which preceded it. The mention of a few of them, therefore, may not be amiss. From those who were at the taking of Louisbourg, we select the following : Mathew Thornton, who signed the Declaration of Independence ; Gamaliel Bradford, who commanded a regiment in the war of the Revolution, and who was a decendant of the Pilgrim Governor, and the father of Alden Bradford, the respected historian of Massachusetts ; General Richard Gridley, who laid out the works on Breed's Hill on the night of the 16th of

In parting with the reader, we feel our case to be so like that of "Captain John Smith, Admiral," that we cannot

June, and who was appointed, by Washington, chief of the engineer department of the army; Colonel Joshua Wingate, the grandfather of Paine Wingate, a senator in Congress, and judge of the Supreme Court of New Hampshire; Samuel Blodget, judge, and projector of the canal around Amoskeag Falls; Stephen Williams, minister of Springfield.

Engaged in one or both of these wars we find the following: Oliver Wolcott, who signed the Declaration of Independence, and was Governor of Connecticut; Col. William Prescott, who commanded on Breed's Hill, on the memorable 17th of June; General Charles Lee; General Richard Montgomery; General Horatio Gates; General Arthur St. Clair; General James Clinton, the father of De Witt Clinton; General Hugh Mercer, who fell in the battle near Princeton, and was followed to the grave by thirty thousand of his countrymen, and who was esteemed by some as second only to Washington; General John Stark, the victor at Bennington; General Daniel Morgan, the hero of the Cowpens; General John Gibson, who heard Logan's celebrated speech, and acted as his interpreter, and who was secretary of Indiana, while the late President Harrison was its Governor; General William Darke, who was with Washington and Braddock, and served throughout the war of the Revolution; General John Bull; General Joseph Spencer; General Israel Putnam, and General Rufus Putnam, "the father of the Western country"; General John Thomas, who commanded in Canada, after the death of Montgomery; Zebulon Butler, the second in command at Wyoming, "when that beautiful vale was desolated by the ferocious John Butler"; Patrick Calhoun, the father of the distinguished statesman of South Carolina; Colonel Samuel Campbell, whose services in 1776 were valuable and much commended; Francis Lewis, who signed the Declaration of Independence; Eliphalet Dyer, who was chief justice of Connecticut, a member of the Congress of 1765, and of that of 1774; William Williams, and Philip Livingston, whose names are affixed to the Declaration of Independence.

Of gentlemen eminent in the healing art, we may notice the names of James Craik, who assisted in dressing the wounds of the ill-fated Braddock, who was director-general of the American Hospital at the surrender of Cornwallis, and whom Washington designated as "my compatriot in arms, my old and intimate friend"; John Jones, who was employed professionally by Washington and Franklin; John Morgan, who was director-general, and physician-in-chief of the army of the Revolution, and one of the founders of the medical school at Philadelphia, which conferred the first medical honors in America; Hinde, the physician of General Wolfe, who was with him when he fell, and accompanied Patrick Henry in his march against Lord Dunmore; John Cuming, who has left memorials of his liberality in bequests for the poor, for schools, for a library at Concord, Massachusetts, and towards the support of a medical professor at Harvard College.

Of those who also bore a part in the siege of Louisbourg, but who died on the eve of the struggle for freedom, we select two; Roger Wolcott, who bore the commission of major-general in that brilliant affair, and who was governor of Connecticut; and whose son Oliver (as already remarked) was a signer of the Declaration of Independence; whose son Erastus was a judge of the Superior Court of that State, and a brigadier-general in the Revolution; and whose grandson, Oliver, was a Secretary of the Treasury of the United States; and Joseph Dwight, who was a brigadier-general, commanded the Massachusetts artillery, was distinguished for his exertions, and commended by Pepperell, the chief of the expedition.

help quoting his words : "But because," said he, "I speak so much of fishing, if any take me for such a devout fisher, as I dream of naught else, they mistake me. I know a ring of gold from a grain of barley, as well as a goldsmith ; and nothing is there to be had which fishing doth hinder, but further us to obtain."

ART. III. — *Incidents of Travel in Yucatan*. By JOHN L. STEVENS, Author of "Incidents of Travel in Central America, Chiapas, and Yucatan," &c. Illustrated by 120 Engravings. New York : Harper & Brothers. 1843. 2 vols. 8vo.

IT is the fashion of some critics to lecture very severely those travellers who write books for the public, and do not deem it necessary to cram their pages with solemn philosophical disquisitions. The writer is censured for the "want of deductive reflection, or that principle which enables the profound mind to trace events from their causes, and so to present a clear method of philosophy." We have quoted this passage, *verbatim*, from one of the newspaper notices of the entertaining volumes, with which Mr. Stephens has lately favored his countrymen, and all other lovers of pleasant reading. The same kind of criticism, with occasional changes of phraseology, was uttered and echoed, it may be remembered, from a countless number of daily and weekly journals, in reference to the light, lively, skip-and-jump "American Notes" of Charles Dickens. "A clear method of philosophy" ! What under the sun has Dickens or Stephens to do with philosophy, or profundity, or "deductive reflection," or any other part or parcel of the learned lumber with which erudite persons, in velvet caps and morning gowns, bemuddle their own brains and set those of their readers to aching ? People do not go wandering over the world in search of philosophy, unless it be of that practical kind which comes into play amid weariness, discomfort, and danger, in the rude hut of a wild Indian, or the tent of a lawless Arab, where a cup of sour milk is a luxury, and a bundle of straw to lie upon is a thing for which to give thanks. Such pon-

derous, respectable, and very tiresome philosophy as these persons prate about, belongs to your sleek stayers at home ; and all the world knows that there are plenty of such to furnish it. The traveller goes to look for something else, and if he bring not home something else, the "reading public" soon lets him know that he has gone upon a fool's errand. The adventurous spirit, the quick eye, the facile adaptation of mind and body to changing situations and circumstances, the ready tact, the capacity for good-humored, but shrewd and searching, observation, and the knack of describing what has been seen, or done, or suffered, — these are the stock in trade of the voyager to foreign parts, who would make himself acceptable through the pages of a book ; and, if he possess these qualities, he may unceremoniously consign philosophy to the learned halls of colleges and the "dens" of newspaper editors.

The mistake of these fault-finders lies in not making a proper division of labor. They would have the merchant and the manufacturer united in one person ; forgetting that the interests of commerce are best promoted, when the merchant gives his whole mind and care to his ships and their due construction and navigation, leaving the raw material which they bring to be wrought up by the man of spindles and power-looms. The traveller goes forth, we apprehend, mainly to collect materials, descriptive, narrative, and historical, out of which the philosopher may construct theories, if he thinks proper, bringing to bear upon them all the "clear method" and "deductive reflection" of which he may happen to be master. It is unreasonable to expect that the former shall have time to elaborate philosophical systems, while his eyes and hands and head are kept in full employment by the necessity of providing for the exigencies of the day, and in observing and recording the objects or incidents of which it is his business to make report. Indeed, he ought not to have any theory to maintain, either political or scientific ; because what the public requires of him is an impartial and unprejudiced account of what he sees, and nothing is more destructive to impartiality than the existence of a doctrine, to be established or defended. In short, we maintain that the business of a traveller is to see and describe ; and that, as a general rule, the less he meddles with speculation, the better it is for himself and his readers.

In our notice of Mr. Stephens and his work, we must not forget that the volumes were published nearly three months ago ; that the sale is reckoned by thousands ; and that our discourse is not likely to fall into the hands of many, at least in this country, who have not read the book for themselves, and become fully acquainted with its racy narrative, its clear descriptions, and the striking representations of dilapidated architectural magnificence, with which the skill of Catherwood and the munificence of the publishers have literally crowded its pages. We shall not enter upon the vexed question of the antiquity of these structures ; because Mr. Stephens has settled that as effectually as demonstration can settle any thing ; proving that the ruins now existing in Yucatan and Mexico were entire and perfect edifices in the sixteenth century, occupied as temples for worship by the people whom the Spaniards fought, conquered, and enslaved. Nor shall we undertake to say any thing in description of those ruins ; because pages of description would not give an idea so distinct or accurate as a single glance at one of Mr. Catherwood's drawings, and because the general character of these edifices was made familiar to most readers by the publication of our author's work on Central America, in which the remains at Palenque and Uxmal were described and pictured. These may be taken as specimens that give a tolerably correct idea of all the ruins, the structure and style of decoration being substantially the same in all, although there are innumerable varieties in detail. What we propose is, merely to give a sketch of our author's progress and adventures, — showing the sort of life and occupation, the discomforts, dangers, and privations through which his enthusiasm supported him for eight months, — and exhibiting at once the nature and peculiarities of the country, the manners and character of the people, and, incidentally, his own qualifications for the work in which, for seven or eight years, he has been engaged so evidently *con amore*, and so much to the satisfaction of his countrymen.

Considering its central position and its proximity to the United States and the British West Indies, the peninsula of Yucatan has somehow escaped the attention of gazetteer-compilers, travellers, and newspaper editors. It has had its place upon the maps, to be sure, and in the books of geography it has been duly noticed as a province of Mexico ; but

of its interior, its population, and even its towns and cities, very little authentic information was attainable. Of its principal sea-ports, Campeachy and Sisal, the names, indeed, have occurred every now and then in the lists of marine arrivals and departures ; but until the recent separation from Mexico, and the consequent war, little knowledge even of these was current except among captains and supercargoes ; and even now, we suppose that, as in the analogous case of Central America, ninety-nine in the hundred of our author's readers are indebted to his volumes for the greater part, if not the whole, of their information respecting the country which he has described. A striking exemplification of this general ignorance was afforded some months ago, on the appearance of a meagre and superficial work, purporting to give an account of travels in the same peninsula, with descriptions and a few poor lithograph views of some of the ruins, — the latter being copied mainly from the inaccurate plates in the costly and scarce book of Waldeck. This work, evidently got up on speculation, by a person who happened to be in Yucatan while Mr. Stephens was prosecuting his researches there, and who visited three or four places of ruins, which, but for those researches, he never would have heard of, was much praised for a season in the newspapers, from Maine to Louisiana. It is a curious fact, that in these notices and paragraphs, almost without exception, Yucatan and Central America were spoken of as portions of one country ; showing clearly enough that the writers had no particular idea of either beyond the fact that wonderful remains of ancient architecture were existing there, which somebody had visited and examined.

Mr. Stephens, as most of our readers will remember, on his return from Central America, passed through that part of Mexico called Chiapas, to visit the ruins of Palenque, travelled thence in a *bungo*, or large two-masted scow, down the rivers Usumasinta and Palisada to the Lake of Terminos, thence by ship to Sisal, and thence, by *calèche*, a few miles to Merida. Here he met a gentleman with whom he had formed some acquaintance at New York, and whom he now discovered to be a proprietor of immense estates, on one of which were ruins. These were the ruins of Uxmal. They had been visited by Waldeck, and his work, presenting views

of them on a large scale, but very inaccurate, had been published at Paris before Mr. Stephens embarked for Central America. This work, however, from its heavy cost, had not come into general circulation, and in fact only three or four copies had found their way across the Atlantic. The very existence of the ruins, therefore, was unknown, except to a few antiquaries and scholars. Unfortunately, the sudden and severe illness of Mr. Catherwood prevented him and Mr. Stephens from staying more than a day, in which, however, they contrived to do a great deal of work, — obtaining drawings and tolerable descriptions of the principal edifices. We should rather say, that they were *fortunately* interrupted, inasmuch as the sudden and enforced suspension of their labors here was the cause of their returning to Yucatan, and giving to the world the magnificent volumes now before us.

Mr. Stephens's first visit to Merida was hurried ; in fact, it was only a rapid passage through the place, and afforded him no opportunity for the exercise of his remarkably keen and quick observation. His second visit occupied more time, and furnished him with several striking scenes and materials for graphic description. Take, for instance, the following picture of a sequel or pendant to a great religious festival :

“ Turning along the left side of the *plaza*, we entered an illuminated street, at the foot of which, and across it, hung a gigantic cross, also brilliantly illuminated, and apparently stopping the way. Coming, as we did, directly from the church, it seemed to have some immediate connexion with the ceremonies we had just beheld ; but the crowd stopped short of the cross, opposite a large house, also brilliantly illuminated. The door of this house, like that of the church, was open to all who chose to enter, or rather, at that moment, to all who could force their way through. Waiting the motion of the mass before us, and pressed by those behind, slowly, and with great labor, we worked our way into the *sala*. This was a large room extending along the whole front of the house, hot to suffocation, and crowded, or rather jammed, with men and women, or gentlemen and ladies, or by whatever other names they may be pleased to be called, clamorous and noisy as Bedlam let loose. For some time it was impossible for us to form any idea of what was going on. By degrees we were carried lengthwise through the *sala*, at every step getting elbowed, stamped upon, and occasionally the rim of a straw hat

across the nose, or the puff of a paper cigar in the eyes. Very soon our faces were trickling with tears, which there was no friendly hand to wipe away, our own being pinned down to our sides.

“On each side of the *sala* was a rude table, occupying its whole length, made of two rough boards, and supporting candles stuck in little tin receivers, about two feet apart. Along the tables were benches of the same rough materials, with men and women, whites, Mestizoes, and Indians, all sitting together, as close as the solidity and resistance of human flesh would permit, and seemingly closer than was sufferable. Every person at the table had before him or her a paper about a foot square, covered with figures in rows, and a small pile of grains of corn, and by its side a thumping stick some eighteen inches long, and one in diameter; while, amid all the noise, hubbub, and confusion, the eyes of all at the tables were bent constantly upon the papers before them. In that hot place, they seemed like a host of necromancers and witches, some of the latter young and extremely pretty, practising the black art.

“Along the corridor, and in the whole area of the *patio*, or court-yard, were tables, and benches, and papers, and grains of corn, and ponderous sticks, the same as in the *sala*, and men and women sitting as close together. The passages were choked up, and over the heads of those sitting at the tables, all within reach were bending their eyes earnestly upon the mysterious papers. They were grayheads, boys and girls, and little children; fathers and mothers; husbands and wives; masters and servants; men high in office, muleteers, and bull-fighters; señoras and señoritas, with jewels around their necks and roses in their hair, and Indian women, worth only the slight covering they had on; beauty and deformity; the best and the vilest in Merida; perhaps, in all, two thousand persons; and this great multitude, many of whom we had seen but a few minutes before on their knees in the church, and among them the fair bevy of girls who had stood by us on the steps, were now assembled in a public gambling-house! a beautiful spectacle for a stranger, the first night of his arrival in the capital!” — Vol. 1. pp. 17–20.

The incantations upon which all these worthy people were employed is called *la lotería*, or the lottery; it is authorized by the government, which derives a revenue from the stamps affixed to the papers spoken of, those being in fact lottery tickets, having on them rows or tables of figures, on the permutation principle. The gambling was not very formidable

in amount, the stake, or price of tickets, being limited to a *medio*, or six and a quarter cents of our money. Although called a lottery, the game seems to be rather what the French call *loto*.

Notwithstanding their passion for *la lotería*, bull-fights, and some other questionable amusements, the Meridanos seem to be very worthy people ; else they would never suffer a stranger to escape so easily as they did Mr. Stephens in the matter of house-rent : —

“ Our house was in the street of the Flamingo. Like most of the houses in Merida, it was built of stone, and had one story ; the front was about thirty feet, and had a *sala* covering the whole, about twenty feet in depth. The ceiling was perhaps eighteen feet high, and the walls had wooden knobs for fastening hammocks. Behind the *sala* was a broad corridor, opening on a court-yard, at one side of which was a sleeping-room, and at the back of that a *comedero*, or eating-room. The floors were all of hard cement. The court-yard was about thirty feet square, with high stone walls, and a well in the centre. Next, running across the lot, was a kitchen, with a sleeping-room for servants, and, back of that, another court-yard, forty feet deep, with stone walls fifteen feet high ; and in order that my inquiring fellow-citizens may form some idea of the comparative value of real estate in Merida and New York, I mention, that the rent was four dollars per month, which, for three persons, we did not consider extravagant. We had our own travelling beds, the table, washhand-basin, and chairs set up, and before breakfast our house was furnished.” — Vol. I. pp. 25, 26.

We have never seen any complete and satisfactory discussion of the problem respecting the effect produced on national character by various methods of cookery, or any attempt to trace out the connexion between predominant modes of action and thought and predominant modes of eating. Yet there seems to be, among almost every people, a national dish ; and it would not be difficult, we suspect, to show that the national dish has a great deal to do with the national temperament. Is there not a distinct analogy between the beef of the Englishman and his solid, vigorous, and durable qualities of mind and body, — between the vivacious, active, and volatile Frenchman, (though he is not addicted to *croaking*,) and the savory amphibious dainty in which he delights ? The Tartar feeds upon horse-steak,

uncooked save by compression between his saddle and the back of his steed in the course of a twenty-mile gallop ; and is there not a share of the wild horse in the national character of the Tartar ? The Esquimaux feed principally on seal-blubber ; and what a sealish animal is the Esquimaux, with his dumpy figure, his round head, his flipper-like legs and arms, his indolence, and his stupidity ! The Spaniard luxuriates upon his *olla podrida*, an anomalous compound, rank in flavor and fearfully indigestible ; his ancestors must have fared more generously when they were successful warriors. Would the Poles have lost their nationality, if they had possessed a national dish ? Could the Swiss have maintained theirs without one, even though no better than goat-milk cheese ?

The Indians of Yucatan, it seems, have a compound which they call *mukbipoyo*, a detestable pot-pie, consisting of pork and fowls, made hot with Chili pepper, and inclosed in a paste of pounded Indian corn, the pie being baked in the earth. During certain religious festivals, Mr. Stephens tells us, they eat nothing but this ; and they place liberal portions of it out of doors in some retired places, for the consumption of their deceased friends and relatives. The composition of this pie was derived, doubtless, from their ancestors ; no wonder, then, that their thousands fell in vain conflict with the handful of the *Conquistadores*. There must be ruin to any people in such an atrocious preparation for the stomach. Mr. Stephens and his companions had a droll misadventure with one of these pies.

“ We have reason to remember this *fête*, from one untoward circumstance. A friendly neighbour, who, besides visiting us frequently with his wife and daughter, was in the habit of sending us fruit and *dulces* more than we could eat, this day, on the top of a large, undisposed-of present, sent us a huge piece of *mukbipoyo*. It was as hard as an oak plank, and as thick as six of them ; and having already overtaken ourselves to reduce the pile on the table, when this came, in a fit of desperation we took it out into the court-yard and buried it. There it would have remained till this day but for a malicious dog which accompanied them on their next visit ; he passed into the court-yard, rooted it up, and, while we were pointing to the empty platters as our acknowledgment of their kindness, this villanous dog sneaked through the *sala* and out at the front door with the pie in his mouth, apparently grown bigger since it was buried.” — Vol. I. pp. 45, 46.

We will not undertake to say that the eating of *mukbipoyo* is bad for the eyes, but it seems that *strabismus* — *Anglicè* squinting — is a prevalent misfortune in Merida. Mr. Stephens was accompanied by Dr. Cabot, of Boston, as well as by Mr. Catherwood, and the Doctor had possessed himself of the delicate and ingenious French process of remedying this visual evil. His philanthropy prompted him to offer his services for the relief of the *biscos*, and there was no lack of patients. The first on whom he operated was a "little gentleman" of about fourteen, who acted like a hero, and was rewarded for his courage with an eye that looked straight-forward instead of cornerwise.

"The news of this wonder spread rapidly, and before night Dr. Cabot had numerous and pressing applications, among which was one from a gentleman whom we were all desirous to oblige, and who had this defect in both eyes.

"On his account we determined to postpone our departure another day; and, in furtherance of his original purpose, Dr. Cabot mentioned that he would perform the operation upon all who chose to offer. We certainly took no trouble to spread this notice, but the next morning, when we returned from breakfast, there was a gathering of squint-eyed boys around the door, who, with their friends and backers, made a formidable appearance, and almost obstructed our entrance. As soon as the door opened there was a rush inside; and, as some of these slanting eyes might not be able to distinguish between *meum* and *tuum*, we were obliged to help their proprietors out into the street again.

"The first who presented himself was a stout lad about nineteen or twenty, whom we had never seen or heard of before. Who he was or where he came from we did not know, but he was a *bisco* of the worst kind, and seemed able-bodied enough to undergo any thing in the way of surgery. As soon as the Doctor began to cut the muscle, however, our strapping patient gave signs of restlessness; and all at once, with an actual bellow, he jerked his head on one side, carried away the Doctor's hook, and shut his eye upon it with a sort of lockjaw grip, as if determined it should never be drawn out. How my hook got out I have no idea; fortunately, the Doctor let his go, or the lad's eye would have been scratched out. As it was, there he sat with the bandage slipped above one eye, and the other closed upon the hook the handle of which stood out straight. Probably at that moment he would have been willing to sacrifice pride of personal

appearance, keep his squint, and go through life with his eye shut, the hook in it, and the handle sticking out ; but the instrument was too valuable to be lost. And it was interesting and instructive to notice the difference between the equanimity of one who had a hook in his eye, and that of lookers-on who had not. All the spectators upbraided him with his cowardice and want of heart, and after a round of reproof to which he could make no answer, he opened his eye and let out the hook. But he had made a bad business of it. A few seconds longer, and the operation would have been completed. As it was, the whole work had to be repeated. As the muscle was again lifted under the knife, I thought I saw a glare in the eyeball that gave token of another fling of the head, but the lad was fairly browbeaten into quiet ; and, to the great satisfaction of all, with a double share of blackness and blood, and with very little sympathy from any one, but with his eye straight, he descended from the table. Outside he was received by a loud shout by the boys, and we never heard of him again.”—Vol. I. pp. 110–113.

The Maceguals, or children of Maya—the Indians of Yucatan—are a curious people, and it is a great pity that we know so little of them ; that little being, in fact, nothing but what Mr. Stephens has told us. If he had been able to speak their language, perhaps he would have found among them traditions throwing some light upon the history of their race, both before and after the Conquest ; but centuries of subjection have not sufficed to make them acquire the speech of their enslavers, and these latter are so indolent and incurious, that they seem to have made not a single effort for the discovery of whatever knowledge or memory may yet exist among the Indians, of the arts, sciences, literature, or history of their ancestors. We have a strong suspicion that something lies hidden, if we could but get at it, under the docility, taciturnity, spiritless patience, and stolidity, that seem to characterize the descendants of those ingenious and warlike races who built the stupendous temples now in ruins, and who struggled so long and bravely against the military skill and discipline of the invading Spaniards. It seems impossible, that even two centuries of oppression could bring such a race of men to the abject condition indicated by incidents like these :—

“Early in the morning, we were aroused by loud bursts of music in the church. The cura was giving them the benefit of his accidental visit by an early mass. After this, we heard music of

a different kind. It was the lash on the back of an Indian. Looking out into the corridor, we saw a poor fellow on his knees on the pavement, with his arms clasped around the legs of another Indian, so as to present his back fair to the lash. At every blow he rose on one knee, and sent forth a piercing cry. He seemed struggling to restrain it, but it burst from him in spite of all his efforts. His whole bearing showed the subdued character of the present Indians, and with the last stripe the expression of his face seemed that of thankfulness for not getting more. Without uttering a word, he crept to the major domo, took his hand, kissed it, and walked away. No sense of degradation crossed his mind. Indeed, so humbled is this once fierce people, that they have a proverb of their own, 'Los Indios no oigan si no por las nalgas, — The Indians cannot hear except through their backs,' and the cura related to us a fact which indicates an abasement of character perhaps never found in any other people. In a village not far distant, the name of which I have lost, they have a *fiesta* with a scenic representation called *Shtol*. The scene is laid at the time of the Conquest. The Indians of the village gather within a large place enclosed by poles, and are supposed to be brought together by an invasion of the Spaniards. An old man rises and exhorts them to defend their country; if need be, to die for it. The Indians are roused, but in the midst of his exhortations a stranger enters, in the dress of a Spaniard and armed with a musket. The sight of this stranger throws them all into consternation; he fires the musket, and they fall to the ground. He binds the chief, carries him off captive, and the play is ended." — Vol. I. pp. 145 – 147.

One custom of their ancestors they adhere to with unwavering pertinacity. Speaking of the annual fair at Yalacho, Mr. Stephens says :

"Night came on, and the *plaza* was alive with people and brilliant with lights. On one side, opposite the church, along the corridors of the houses and in the front of them, were rows of tables, with cards and dice, which were very soon crowded with players, whites and Mestizoes; but the great scene of attraction was the gathering of Indians in the centre of the *plaza*. It was the hour of supper, and the small merchants had abundant custom for their eatables. Turkeys which had stood tied by one leg all day, inviting people to come and eat them, were now ready, of which, for a *medio*, two men had a liberal allowance; and I remarked, what I had heard of, but had not seen before, that grains of cacao circulated among the Indians as money. Every merchant or vender of eatables, the most of whom were

women, had on the table a pile of these grains, which they were constantly counting and exchanging with the Indians. There is no copper money in Yucatan, nor any coin whatever under a medio, or six and a quarter cents, and this deficiency is supplied by these grains of cacao. But these grains had an interest independent of all questions of political economy, for they indicate or illustrate a page in the history of this unknown and mysterious people. When the Spaniards first made their way into the interior of Yucatan, they found no circulating medium, either of gold, or silver, or any other species of metal, but only grains of cacao; and it seemed a strange circumstance, that while the manners and customs of the Indians have undergone an immense change, while their cities have been destroyed, their religion dishonored, their princes swept away, and their whole government modified by foreign laws, no experiment has yet been made upon their currency."— Vol. i. pp. 195–197.

We are by no means sure that the small change of the Maceguals is not an improvement on our coppers and half dimes, both in principle and practice. Its value is positive, not conventional, for it can be eaten as well as exchanged for eatables; it can neither be counterfeited nor debased; the delinquency of cashiers and presidents of banks, and the fraudulent ingenuity of clippers and sweaters are alike incapable of depreciating it; legislatures cannot charter or uncharter its issue; it forms a currency incapable of expansion or contraction; and in short it possesses all the requisites of a sound, uniform, hard-money circulation.

The representative system is the crowning glory of modern politics; but it has its inconveniences, among which not the least prominent is the creation of party spirit, with the excesses, abuses, frauds, and violence that naturally follow in the train of political exasperation. It is refreshing to read of a community in which representation exists unaccompanied by any of these evils. Such was the case at Nohcacab, where the democratic principle seems to have been developed with remarkable quietude, at least, if not in remarkable purity.

"The custody and preservation of these wells are an important part of the administration of the village government. Thirty Indians are elected every year, who are called *alcaldes* of the wells, and whose business it is to keep them in good order, and the tanks constantly supplied with water. They receive no pay, but are exempted from certain obligations and services, which

makes the office desirable ; and no small object of the political struggle, through which the village had passed, was to change the *alcaldes* of the wells. Buried among the ruins of Uxmal, the news of this important election had not reached us.

"Though practically enduring, in some respects, the appendages of an aristocratic government, the Indians who carried us on their shoulders, and our loads on their backs, have as good votes as their masters ; and it was painful to have lost the opportunity of seeing the democratic principle in operation among the only true and real *native American* party ; the spectacle being, as we were told, in the case of the *hacienda* Indians, one of exceeding impressiveness, not to say sublimity. These, being *criados*, or servants, in debt to their masters, and their bodies mortgaged, go up to the village unanimous in opinion and purpose, without partiality or prejudice, either in favor of or against particular men or measures ; they have no bank questions, nor questions of internal improvement, to consider ; no angry discussions about the talents, private characters, or public services of candidates ; and, above all, they are free from the degrading imputation of man worship, for in general they have not the least idea for whom they are voting. All they have to do is to put into a box a little piece of paper given to them by the master or major domo, for which they are to have a holyday. The only danger is, that, in the confusion of greeting acquaintances, they may get their papers changed ; and when this happens, they are almost invariably found, soon after, committing some offence against *hacienda* discipline, for which these independent electors are pretty sure to get flogged by the major domo.

"In the villages, the indifference to political distinctions, and the discrimination of the public in rewarding unobtrusive merit, are no less worthy of admiration, for Indian *alcaldes* are frequently elected without being aware that they have been held up for the suffrages of their fellow-citizens ; they pass the day of election on the ground, and go home without knowing any thing about it. The night before their term is to commence, the retiring functionaries go round the village and catch these unconscious favorites of the people, put them into the *cabildo*, and keep them together all night, that they may be at hand in the morning to receive the staves and take the oath of office." — Vol. i. pp. 335, 336.

This catching of candidates, to be sure, is not exactly in accordance with our ideas of popular sovereignty, but it illustrates the sovereign authority of the people collectively ; an approach to democracy, though certainly not quite up to

the mark, as now established in some democratic communities.

There is a wise significance in one of the fairy tales, showing how a transformed princess — a cat by day, a princess all the night — was unable to resist temptation presented in the shape of a fat mouse, and sprung even from the nuptial couch to pursue it. There is not much resemblance, perhaps, but the story of the cat-princess was immediately suggested to us on reading this passage.

“ While Mr. Catherwood was making his drawing, the Indians stood around under the shade of the trees, looking at him quietly and respectfully, and making observations to each other. They were a fine looking race. Some of them, one tall old man particularly, had noble Roman faces, and they seemed to have more respectability of appearance and character than was consistent with the condition of men not wearing pantaloons. All at once, an enormous iguana, or lizard, doubled the corner of the building, ran along the front, and plunged into a crevice over the door, burying his whole body, but leaving the long tail out. Among these unsophisticated people this reptile is a table delicacy, and here was a supper provided for some of them. Machetes flew out, and, cutting down a sapling with a crotch in it, they rested it against the wall, and, standing in the crotch, pulled upon the tail; but the animal held on with his feet, as if a part of the building. All the Indians, one after the other, had a pull at the tail, but could not make him budge. At length, two of them contrived to get hold together, and, while pulling with all their strength, the tail came off by the roots, a foot and a half long in their hands. The animal was now more out of their reach than before, his whole body being hidden in the wall; but he could not escape. The Indians picked away the mortar with their machetes, and enlarged the hole until they got his hind legs clear, when, griping the body above the legs, they again hauled; but, though he had only the fore legs to hold on with, they could not tear him out. They then untied the ropes of their sandals, and, fastening them above the hind legs, and pulling till the long body seemed parting like the tail, they at length dragged him out. They secured him by a gripe under the fore part of the body, cracked his spine, and broke the bones of his fore legs so that he could not run; pried his jaws open, fastened them apart with a sharp stick, so that he could not bite, and then put him away in the shade. This refined cruelty was to avoid the necessity of killing him immediately, for, if killed, in that hot climate he would soon be unfit for food; but, mutilated and

mangled as he was, he could be kept alive till night." — Vol. II. pp. 42–44.

Mr. Stephens intimates, more than once, the opinion, that under favorable circumstances the Indians would emerge from their abject condition, and prove by their physical and intellectual elevation their direct descent from the dusky warriors who struggled so bravely against the power of the Spaniard. A fit subject for the experiment seems to have been presented in a large landed proprietor at Kewick, who makes quite as respectable a figure as most of the Yucateco Spaniards themselves.

"We had still two hours of daylight; and, anxious to have a glimpse of the ruins before night, we had some fried eggs and tortillas got ready, and, while making a hasty meal, the proprietor of the rancho, attended by a party of Indians, came to pay us a visit.

"This proprietor was a full-blooded Indian, the first of this ancient, but degraded race, whom we had seen in the position of land-owner and master. He was about forty-five years old, and highly respectable in his appearance and manners. He had inherited the land from his fathers, did not know how long it had been transmitted, but believed that it had always been in his family. The Indians on the rancho were his servants, and we had not seen in any village, or on any hacienda, men of better appearance, or under more excellent discipline. This produced on my mind a strong impression, that, indolent, ignorant, and debased as the race is under the dominion of strangers, the Indian even now is not incapable of fulfilling the obligations of a higher station than that in which his destiny has placed him. It is not true that he is fit only to labor with his hands; he has within him that which is capable of directing the labor of others; and as this Indian master sat on the terrace, with his dependents crouching round him, I could imagine him the descendant of a long line of caciques who once reigned in the city, the ruins of which were his inheritance. Involuntarily, we treated him with a respect we had never shown to an Indian before; but perhaps we were not free from the influence of feelings which govern in civilized life, and our respect may have proceeded from the discovery that our new acquaintance was a man of property, possessed not merely of acres, and Indians, and unproductive real estate, but also of that great desideratum in these trying times, ready money; for we had given Albino a dollar to purchase eggs with, who objected to it as too large a coin to be avail-

able on the rancho, but on his return informed us, with an expression of surprise, that the master had changed it the moment it was offered to him." — Vol. II. pp. 69, 70.

"Love in a cottage" was once the staple material of amatory songs and romances; but it may be questioned, whether the cottage was not supposed to be somewhat better furnished than one of which Mr. Stephens and his companions took forcible possession, and of whose furniture he gives a *catalogue raisonné*, apparently as a specimen of the *Maya* dwellings generally.

"It was late in the afternoon when we reached the savanna of Chunhuhu, and rode up to the hut at which I had tied my horse on my former visit.

"The hut was built of upright poles, had a steep, projecting roof thatched with palm-leaves, and the sides protected by the same material; as we stopped in front, we saw a woman within mashing maize for tortillas, which promised a speedy supper. She said her husband was away; but this made no difference to us, and, after a few more words, we all entered, the woman at the moment bolting for the door, and leaving us in exclusive possession. Very soon, however, a little boy, about eight years old, came down and demanded the maize, which we were loth to give up, but did not consider ourselves authorized to retain. Albino followed him, in hopes of persuading the woman to return; but as soon as she caught a glimpse of him, she ran into the woods.

"The hut of which we thus became the sudden and involuntary masters was furnished with three stones for a fireplace, a wooden horse for kneading maize upon, a comal for baking tortillas, an earthen olla, or pot, for cooking, three or four waccals, or gourds, for drinking-cups, and two small Indian hammocks, which also were demanded and given up. Besides these, there was a circular dining-table about a foot and a half in diameter, supported by three pegs about eight inches high, and some blocks of wood about the same height for seats. Overhead, suspended from the rafters, were three large bundles of corn in the husk, and two of beans in the pod; and on each string, about a foot above these eatables, was half a calabash or squash, with the rounded side up, like the shade over a lamp, which, besides being ornamental, filled the office of a rat-trap; for these vermin, in springing from the rafters to reach the corn and beans, would strike upon the calabash, and fall to the ground.

"The little boy was hovering about the rancho in charge of a naked sister some two years old, and commissioned, as he told

us himself, to watch that we did not take any thing from the hut. For a medio he undertook to show me the place where they procured water, and, mounting his little sister upon his back, he led the way up a steep and stony hill. I followed with the bridle of my horse in my hand, and, without any little girl on my back, found it difficult to keep up with him. On the top of the hill were worn and naked rocks, with deep hollows in them, some holding perhaps as much as one or two pails of water. I led my horse to one of the largest. He was always an extraordinary water-drinker, and that evening was equal to a whole temperance society. The little Indian looked on as if he had sold his birth-right, and I felt strong compunctions; but, letting the morrow take care of itself, I sent up the other horses, which consumed at a single drinking what might, perhaps, have sufficed the family a month." —Vol. II. pp. 126 – 129.

The next extract we make is full of interest, exhibiting a variety of traits in the Indian character. Here, for example, we have the proud spirit of personal independence, rising even to the excess of revolt against "lawful rule and right supremacy"; also, the firmness and decision of that lawful rule in establishing its authority; also, the beauty of maternal tenderness; and finally, a grotesque, but not ridiculous picture of conjugal felicity.

"Here a scene had just taken place, of which nothing but the noise of the bell prevented my having some previous knowledge. The cacique had sent for an Indian to carry our load, but the latter refused to obey, and was insolent to the cacique, who, in a rage, ordered him to be put into the stocks. When I entered, the recusant, sullen and silent, was waiting the execution of his sentence, and in a few minutes he was lying on his back on the ground, with both legs secured in the stocks above his knees. The cacique sent for another, and in the mean time an old woman came in with a roll of tortillas, and a piteous expression of face. She was the mother of the prisoner, and took her seat on the stocks to remain with him and comfort him; and, as the man rolled his head on the ground, and the woman looked wonderingly at us, we reproached ourselves as the cause of his disaster, and endeavoured to procure his release; but the cacique would not listen to us. He said that the man was punished, not for refusing to go with us, although bound to do so on account of indebtedness to the village, but for insolence to himself. He was evidently one who would not allow his authority to be trifled with; and seeing that, without helping the Indian, we might

lose the benefit of the cacique's good dispositions in our favor, we were fain to desist. At length, though evidently with some difficulty, he procured another Indian. As we mounted, we made a final effort in behalf of the poor fellow in the stocks; and, though apparently unable to comprehend why we should take any interest in the matter, the cacique promised to release him.

"This over, we found that we had thrown another family into confusion. The wife and a little daughter of our carrier accompanied him to the top of a hill beyond the village, where they bade him farewell, as if he was setting out on a long and dangerous journey. The attachment of the Indian to his home is a striking feature of his character. The affection which grows up between the sexes was supposed by the early writers upon the character of the Indians not to exist among them, and probably the sentiment and refinement of it do not; but circumstances and habit bind together the Indian man and woman as strongly as any known ties. When the Indian grows up to manhood, he requires a woman to make him tortillas, and to provide him warm water for his bath at night. He procures one, sometimes by the providence of the master, without much regard to similarity of tastes or parity of age; and though a young man is mated to an old woman, they live comfortably together. If he finds her guilty of any great offence, he brings her up before the master or the alcalde, gets her a whipping, and then takes her under his arm and goes quietly home with her. The Indian husband is rarely harsh to his wife, and the devotion of the wife to her husband is always a subject of remark. They share their pleasures as well as their labors; go up together with all their children to some village *fiesta*; and one of the most afflicting incidents in their lot is a necessity that takes the husband from his home." — Vol. II. pp. 240–243.

Revolutions, it is said, never go backward; but the revolutions in Spanish America have a marvellous faculty of not going at all, after reaching a certain point. As a general rule, they correspond excellently well with the description of the poet, "never ending, still beginning." A little one at a place called Tekax, which Mr. Stephens visited in the course of his wanderings, may be taken as a fair sample of many that have broken out and then stopped, within our remembrance.

"According to the current reports, this revolution was got up by three patriotic individuals, whose names, unfortunately, I have

lost. They belonged to the party called Los Independientes, in favor of declaring independence of Mexico. The elections had gone against their party, and alcaldes in favor of a reannexation to Mexico were installed in office. In the mean time, commissioners arrived from Santa Ana to negotiate with the government of Yucatan, urging it not to make any open declaration, but to continue quietly in its state of independence *de facto*, until the internal difficulties of Mexico were settled, when its complaints would be attended to and its grievances redressed. Afraid of the influence which these commissioners might exercise, the three patriots of Tekax resolved to strike for liberty, went round among the ranchos of the sierra, and collected a band of more than half-naked Indians, who, armed with machetes, a few old muskets, and those primitive weapons with which David slew Goliath, descended upon Tekax, and, to the great alarm of the women and children, took possession of the plaza, set up the figure of Santa Ana, pelted him with stones, put some bullets into him, burned him to ashes, and shouted 'Viva la independencia !' But few of them had ever heard of Santa Ana, but this was no reason why they should not pelt him with stones and burn him in effigy. They knew nothing of the relations between Yucatan and Mexico, and by the cry of independencia they meant a release from tribute to the government and debts to masters. With but little practice in revolutions, they made a fair start by turning out the alcaldes and levying contributions upon political opponents, and threw out the formidable threat that they would march three hundred men against the capital, and compel a declaration of independence. Intelligence of these movements soon reached Merida, and fearful menaces of war were bandied from one city to the other. Each waited for the other to make the first demonstration; but at length the capital sent forth its army, which reached Ticul the day after I left, at the conclusion of my first visit, and while Dr. Cabot was still there. It was then within one day's march of the seat of rebellion, but halted to rest, and to let the moral effect of its approach go on before. The reader has, perhaps, never before heard of Tekax; nevertheless, a year has not elapsed since the patriotic, half-naked band in arms for independence thought that the eyes of the whole world were upon them. In three days the regular army resumed its march, with cannon in front, colors flying, drums beating, and the women of Ticul laughing, sure that there would be no bloodshed. The same day it reached Tekax; and the next morning, instead of falling upon each other like so many wild beasts, the officers and the three patriot leaders were seen walking arm in arm together in the plaza. The former

promised good offices to their new friends, two reales apiece to the Indians, and the revolution was crushed. All dispersed, ready to take up arms again upon the same terms whenever their country's good should so require." — Vol. II. pp. 245–247.

A considerable portion of the journey whose rich results are given to the public in these volumes was performed in a *canoa*, — a flat-bottomed sail-boat, thirty-five feet long and six feet wide, — navigated by a patron and two or three fresh-water sailors, all Indians. The whole account of the voyage achieved in this little craft is delightful. It was a coasting expedition from the port, or rather fishing station, of Yalahao, near the north-eastern extremity of the peninsula, to the desolate island of Cozumel on its eastern side, thence southward to the site of an ancient city called Tuloom, and thence back along the eastern and northern coasts to the fishing port of Silan, within some fifty miles of Sisal. This whole expedition was full of odd adventures, and is described with a simple vivacity which reminds one irresistibly of Robinson Crusoe. It was exceedingly rich, moreover, in antiquarian discoveries; but of these we take no notice, pursuing the system with which we set out at the beginning of this article; and, indeed, the "incidents" of the voyage present attractive passages for quotation much more numerous than our limits can accommodate. We must content ourselves with extracting a few pictures, as vivid and picturesque as ever were produced on canvass. Here is a sketch of an abandoned estate on the desolate island of Cozumel. What a place for a hermit, or a pair of newly pledged lovers, or a Daniel Boon!

"Above the line of the shore was a fine table of land, on which were several huts, built of poles, and thatched with palm-leaves. One was large and commodious, divided into apartments, and contained rude benches and tables, as if prepared for our immediate occupation. Back of the house was an enclosure for a garden, overgrown, but with any quantity of tomatoes, ripe, wasting, and begging to be put into a turtle soup then in preparation on board the *canoa*.

"This *rancho* was established by the pirate Molas, who, escaping from death in Merida, made his way hither. He succeeded in getting to him his wife and children and a few Indians, and for several years nothing was heard of him. In the mean time he laid the keel of a sloop, finished it with his own hands, carri-

ed it to Belize, and sold it; new subjects of excitement grew up, and, being in a measure forgotten, he again ventured to the mainland, and left the island to its solitude.

“Our act of taking possession was unusually exciting. It was an immense relief to escape from the confinement of the *canoa*. The situation commanded a view of the sea, and, barely distinguishable, in the distance was the coast of Yucatan. On the bank were large forest-trees, which had been spared in the clearing, and orange and cocoa-nut trees planted by Molas. The place had a sort of piratical aspect. In the hut were doors and green blinds from the cabin of some unlucky vessel, and reaving-blocks, tar-buckets, halliards, drinking-gourds, fragments of rope, fishing-nets, and two old hatches were scattered on the ground. Above all, the first object we discovered, which would have given a charm to a barren sand-bank, was a well of pure and abundant water, which we fell upon at the moment of landing, and were almost like the Spanish soldier in the expedition of Cordova, who drank till he swelled and died.

“This well was shaded by a large cocoa-nut tree. We hauled up under it one of the hatches, and, sitting around it on blocks, had served up the turtle which had been accomplishing its destiny on board the *canoa*. With our guns resting against the trees, long beards, and *canoa* costume, we were, perhaps, as piratical-seeming a trio as ever scuttled a ship at sea. In the afternoon we walked over the clearing, which was covered with a fine plantation of cotton, worth, as the patron said, several hundred dollars, with the pods open and blowing away, indicating that the *rancho* had been abandoned in haste, without regard to the preservation of property. Toward evening we strolled for a great distance along the shore, picking up shells, and at night we had a luxurious swing in our hammocks. — Vol. II. pp. 362 – 364.

With one more extract, we close the second of these fascinating volumes, over which we linger even at the third reading, finding on almost every page some incident or scene on which to dwell with continued pleasure. Our last quotation is an account of a shooting expedition from the little port of Silan.

“In the gray of the morning we heard a loud quacking of ducks, which almost lifted us out of our hammocks, and carried us out of doors. Beyond the point of the little dock was a long sand-bank, covered with immense flocks of these birds.

Our host could not go with us till he had examined his fishing nets, and Dimas had to take the horses to water, but we pushed off with our Indian to set the canoe. . . . Below us the shore formed a large bay, with the Punta de Arenas, or Point of Sand, projecting towards us, bordered down to the water's edge with trees; and all over the bay were sand-banks, barely appearing above water, and covered with wild fowl of every description known, in numbers almost exceeding the powers of conception. . . . It would have been slaughter to shoot among them. In an hour we could have loaded our canoe with birds, of which one or two brace would be considered a fair morning's work. But we did not know what to do with them, and, besides, these were not what we were looking for. . . . Near the mouth of the creek, a flock of roseate spoonbills flew over our heads, also out of reach; but we saw where they alighted, and setting towards them till we were stopped by a mud-bank, we took to the water, or rather to the mud, in which we found our lower members moving suddenly downward to parts unknown, and in some danger of descending till our *sombreros* only remained as monuments of our muddy grave. Extricating ourselves, moving in another direction, and again sinking and drawing back, for two hours we toiled, struggled, floundered, and fired, a laughing stock to the beautiful spoonbills in the free element above. At length Dr. Cabot brought one down, and we parted. In following our separate fortunes along the shore I shot one, which fell at the other side of a stream. As I rushed in, the water rose above all my mud stains, and I fell back, and hastily disencumbered myself of clothing. A high wind was sweeping over the bay; having no stone at hand with which to secure them, my hat and light garments were blown into the water, and at the same moment the roseate bird stood up, opened its large wings, and fluttered along the beach. Distracted between the bird and the fugitive clothing, I let the latter go, and gave chase to the bird, after securing which, and holding it kicking under my arm, I pursued my habiliments, now some distance apart, into the water, and at length got back to dry land with my miscellaneous load, and stood on the beach a picture of an antiquary in distress; doubtless illustrating the proverb to the Indian, who now came to my relief, — if he had ever met with it in the course of his reading, — that no man can be a hero to his *valet de chambre*." — Vol. II. pp. 422 – 425.

In conclusion, we submit to our readers the question, whether we have not accomplished the object which we first had in view; to wit, a triumphant vindication of Mr. Ste-

phens from the carping of that unreasonable criticism which would "fault him," — in the expressive phrase of the Irish, — for not sitting down to philosophize, when, as we contend, he ought to be doing just what he did, taking heedful note of all things curious, novel, or wonderful, that came in his way. His business was to collect materials for others to philosophize upon, if they chose; and have we not shown how successful he was in the gathering? Here, in our limited range of extracts, and that, too, without even alluding to the ruins, we have presented him discoursing of the most interesting philosophical topics; manners, morals, cookery, political economy, gambling, lovely women, surgery, slavery, currency, fortitude under suffering, universal suffrage, democracy, the credit system, the administration of justice, revolutions, and natural history; and if there had been room, we could have gone on extending the catalogue indefinitely. *Macte virtute*; if Mr. Stephens will take our advice, he will go on making just such books as he has made hitherto, and beware how he burns his fingers with "inductive philosophy."

ART. IV. — *The Northern Lakes a Summer Residence for the Invalids of the South.* By DANIEL DRAKE, M. D., Professor in the Medical Institute of Louisville. Louisville, Ky. T. Maxwell, Jun. 1842. 8vo. pp. 29.

THIS is a work of few pages, but it opens a subject of very broad bearings. Dr. Drake's character as a literary and scientific man is known throughout the country. His reputation has grown with "the West," and he has been a most attentive and intelligent observer of its moral and physical developments. To him the public is indebted for many valuable collections of facts relative to the Indian history, habits, &c., arresting them as they were fleeting by, likely to be lost for ever. He has also been an industrious chronicler of those events which prepared the way for that magnificent progress of population and improvement, that has marked the last fifty years of the *trans-Alleghanic* region.

These have been the mere diversions of his active mind,

his regular profession having probably furnished the main occupation of his matured years. Led by motives arising principally from this profession, he made, the last summer, a tour over the "Northern Lakes" in such a leisurely way, as enabled him to treasure up many valuable observations on the characteristics of disease, as modified by climate, geographical influences, and other causes, with a view to form clear and satisfactory opinions respecting the chances of health and long life, that are presented by several of the broad divisions of our country. This more elaborate result of his tour has not, as yet, been published; though, we trust, the expectation of its appearance, in due time, will not be disappointed. In a country where such continued changes are taking place, and a part of the population appears to have no abiding place, it is well to have something like a *hygeic* chart, showing the promise of salubrity held out by different regions. Foresight or prudential calculations do not govern in many cases, where a restless spirit of adventure prompts and goads on to change. There are other cases, however, where there is a desire to examine all the influences for good or for ill which may hang over the future. And we have no doubt, that, should Dr. Drake present to the public such a work, as his experience, range of observation, and nice discrimination, will enable him to prepare, after a very general and careful consideration of many latitudes and longitudes, in their bearing upon this important subject, it will be sought after with much eagerness, as one of those guides in emigration, which may dissipate doubts and fears so naturally suggested where so much is put to hazard.

The present discourse is not intended, we presume, even as a preliminary to the important work here alluded to. It was addressed to the pupils of "The Medical Institute of Louisville" soon after the return of the author from his tour, and appears to have in view merely a general outline of the objects that had attracted his attention, and their particular bearing upon "valetudinarians of the South," who may leave their warmer latitudes for the North. The opening of his discourse will best bespeak his views in delivering it, and is as follows.

"Much having been written on the comparative fitness of different places in the South, as winter residences for the inva-

lids of the North, we propose to say something for the benefit of the valetudinarians of the former. Their present places of resort are chiefly the following:—1. The Virginia Springs, where they *can* drink mineral waters of different kinds, and *must* breathe a mountain air, which, although not in a high latitude, is invigorating. 2. The New York Springs, in a higher latitude, but on a lower level. 3. The Harrodsburg Springs of Kentucky, where art has contributed munificently to the comfort of invalids and the amusement of the gay, but the advantages of high latitude and alpine scenery cannot be enjoyed. 4. Long Branch, Newport, Nahant, and other marine watering and bathing places; to which may be added, 5. A trip to the Falls of Niagara, and 6. A voyage on the St. Lawrence to Montreal and Quebec. It is not our intention to declaim against any of these resources, but to add another, which we cannot but regard as superior to either, and, in reference to certain invalids and fashionable *ennuyés*, preferable to the whole. Before proceeding, however, let us inquire, what is necessary to give effect to a sojourn in the North by the classes of persons whose tastes or infirmities demand it. In the first place, as the majority are citizens, they should, in travelling for health or recreation, seek for places and scenes that will be in contrast with their homes. The invalid cannot recover, nor the fashionable rusticate, in a crowd. 2d. The places now frequented are not so far north as to give many of the advantages of a cool climate. 3d. They offer but few novelties. 4th. They do not abound in historical associations. 5th. Although the springs of New York, Virginia, and Kentucky are valuable in several forms of chronic disease, they are useless in others and injurious in some,—while the invalid seldom proceeds to drink of their waters understandingly. 6th. The amusements and dissipations in which they abound often tempt the infirm into unhealthy indulgences. 7. It is, we believe, an admitted truth, that, in general, but a *part* of the benefit which results from visiting mineral springs comes from the use of their waters.”—pp. 5, 6.

When we consider the large number of persons whose comfort is concerned in this matter, we are disposed to place all efforts to give it a proper direction high on the list of benevolent plans. There is a constant interchange between the North and the South in respect to invalids. We do not know that any one has undertaken to sum up, even with approximate accuracy, the number of those who leave the North, as the chills of autumn give out their warning of

the approach of winter, for the more genial South ; or of those who, as the high temperature of summer parches up the South, shrivels its foliage, and lifts up each evening a humidity from its streams and marshes, that descends in poison upon man, however it may refresh the withered herb, — of those who “flee as a bird unto the field,” or to the cooler breezes and purer atmosphere of the North ; but we have no doubt that they constitute a class whose sum and substance may claim the kindest regards of the philanthropist.

The invalids of the North have little choice, as they turn towards the lands of perpetual verdure. If they stop short of the West Indies, the maritime skirts of South Carolina, Georgia, or Florida gather them within their tepid folds. They have but one object in view, and that centres upon a point. They seek repose beyond the boundaries of frost, and gladly pause upon the first spot which promises to afford such amenity of climate.* Not so with the Southerner, who generally looks to the North for an agreeable and healthy sojourn of a few weeks. His object is rather to fly from disease, than to seek for health. The whole North is before him, where to choose. Attractions radiate in every direction, almost bewildering him with their multiplicity, and, in his doubts and indecision, he resolves to follow where others have led, though the trace run the same round, until it has become tiresome from monotony. This remark applies more particularly to those who come up the coast.

Dr. Drake places the “Virginia Springs” at the head of his enumeration ; not, we presume, from any superiority of attraction, though they offer many allurements to a large class of invalids. The waters are salutary, and of

* It has, of late years, particularly during the Florida war, been the habit of individuals, laboring under pulmonic complaints, to resort to St. Augustine, which certainly offers many inducements to such to winter there. Its climate, compared with that of all northern positions within the United States, is bland and restorative. Still, it has many days which are harsh to the consumptive patient ; many winds which make him shrink within his cloak, and aggravate his complaint. There are positions on the River St. John’s nearly free from these objections. They are rather in the interior, and yet not so far from the coast as to lose the influences of the sea-breeze. Probably Pilatka, a site occupied by the troops, about a hundred miles up the river, and twenty-five miles in a direct line (the intervening land being flat) from the ocean, and where there will be ample accommodations of such kind as answer in that mild climate, will soon become a favorite haunt for northern invalids.

extraordinary efficacy in many complaints. The air is invigorating, because it blows over mountains, which improve the atmospheric currents almost as much as those of water. If more of the Southern invalids were persuaded to stop short of this point, more of them would probably be benefited by their journeyings ; as many, in going farther, only fare the worse. But the "New York Springs," the second in his enumeration, have long been first in popularity. They have been the cynosure of neighbouring, as well as of more distant eyes, for years ; the fashionable ordeal through which all must pass, who wish to avoid a mortification like that of Sterne, when he was piqued into the undertaking of his "Sentimental Journey."

A great change has come over this American Spa within a few years. We can remember the time when it affiliated with the surrounding country only by a few lines of stages, put upon the route only during the "watering season" ; private equipages, extras, exclusive extras, &c., forming the principal means of conveyance for the crowds that concentrated there. Even the Carolinian and the Georgian, having in view only a few weeks' stay at these springs, would begin their long journey in a private carriage, undiscouraged by the prospect of bad roads, almost impassable streams, and slovenly accommodations ; deeming the exhibition of themselves for such a brief time there a full compensation for all perils and privations encountered while outward and homeward bound. The classification of these crowds was then most distinctly made out, the mode of reaching the place marking with the most obvious discrimination the various grades of wealth, if not of respectability, prevailing among the visitors. Those who arrived in a coach and four were wheeled up in the brightest hour of day, and when the balconies were most likely to be thronged with spectators, feeling an assurance that all eyes would be turned on them with curiosity and consideration, the latter being readily paid in advance upon such unquestionable claims to receive it. The way was promptly opened to the party, which slowly descended the steps of the carriage and ascended those of the hotel, and the saloon was reached in a sort of triumph, where all was bustle and obsequiousness on the part of the host and his attendants, spreading out before them the choice of accommodations. The genealogy and

public and private history of such a party immediately became matters of general discussion. No gazetting could have given greater notoriety. Fortunate were those who could bear the scrutiny, without any loss of that reputation which the equipage suggested. The more modest carriage and pair had less blazonry than the "four in hand," but was driven up with no misgivings as to its full title to respect and a complimentary reception. The curricule and tandem introduced the bachelor in full-orbed pretension. In the descending scale, came the "hack," which could not be disguised, even by an adroit masking of the "No.," or any other cunning devices assuming the resemblance of proprietorship. The cold-shoulder was put forward against all such counterfeit presentments. The gig or chaise called forth all degrees of indifference, from the "temperate" of a passing glance, down to the "zero" of utter contempt. If those humble vehicles had an undisguised trunk strapped on behind, in a make-shift way, showing that it had no fitness for such extraordinary uses, the balconies were either deserted, or the promenade continued there, as if no arrival had occurred. If they contained a pair of the sexes, the chances were, that, after awaiting the coming of a waiter until impatient at the delay, the woman had to enter and announce their advent, leaving the man to hold the horse in the mean time. No perceptible change of circumstances took place, even if an additional horse were seen harnessed on the outside of the thills (the whippetree being *boomed* out to accommodate this double draft), its *pseudo* character being at once detected. A genuine chaise passed better muster than such a semi, demi-semi curricule.

The public stages brought up the rear. Those who came in them were crowded, heated, dusted, and generally afforded an exhibition of the pitiable and the ludicrous, too tempting to be avoided by those who had nothing else to do than to watch the passing scene for something new and piquant. As the passengers, during the trying interval which determined their fate, whether they were among the admitted or the rejected, endeavoured to conceal themselves from view, or boldly sat with a look of affected indifference, trusting that their flushed faces and begrimed garments, when removed, would leave little or no personal identity behind, a hundred merry glances from the balconies showed

that there were privileged spectators there, who regarded a scene in a stage as legitimate a subject of amusement and criticism as if upon a stage. Happy those, who, constrained by a narrow income, or moved by a feeling of economy, had resorted to this chartered, and therefore despised, conveyance, if some accident postponed its arrival until the shadows of evening threw a friendly veil over the approach and entrance, and enabled the party to escape unobserved to their rooms, with a chance of emerging thence under appearances better suited to the pretensions or real character of those who composed it.

The change to which we have alluded, and which has revolutionized all these distinctions, and fused all comers as it were into one mass, has been produced by the railroads that connect these watering-places with the capital of New York. The humble in mind and in fortune must rejoice in this levelling effect, however it may chagrin the *millionnaire* and the subordinate Diveses of the land. Amid the rush that sets from the cars to the hotels, the owner of the "four-in-hand" is not distinguished from him who habitually rides in a chaise, or even does not ride at all; while the jumble of trunks and carpet-bags — all of them of enormous capacity — on the barrows amalgamates all differences that hastily read names might suggest; and he who can walk the fleetest, or elbow the best, succeeds in entering his name on the book at the bar first, and consequently, under the impartial rule that now prevails, becomes "first served." Favored by such circumstances, the plebeian may resort to these Springs as well as the magnate. No externals decide the lot or standing there. All, or nearly all, come and go, equally without triumph and without defeat. Some, it is true, have a name, dependent upon no externals, which floats over the multitude at these crowded places as well as elsewhere, and is always uppermost. There are exceptions to the general rule; the truly great are great at all times and in all places.

The fashionable places of summer resort have been latterly rendered, by the facilities with which the unoccupied and the invalid can move towards them from the most remote parts of the country, a thousand fold more crowded than they were in other times. With the former — that is, the unoccupied — we have nothing to do, as Dr.

Drake addresses his recommendations to invalids alone, leaving the healthy and the wealthy, who fly from place to place to while away the tedium of idleness, to jostle in saloons and lounge in their purlieus, as they may list in their listlessness. He remarks, as we have quoted, that this locomotive world, who, during the warm season, are ever on the march, and whose home is on the road, "in traveling for health or recreation, should seek for places and scenes that will be in contrast with their ordinary homes." This contrast may, in some respects, be found at these "Springs"; but it is clearly not the contrast that benefits the invalid. Dr. Drake considers that there is another pathway struck out, which may be followed with far superior advantages. In pointing this out, he draws, chiefly, from notes which he "made on a voyage of two months, for medical observation, during the past summer."

We cannot quote, at large, the outline embraced by his address. His object is to induce invalids, instead of seeking the bustle and excitement of the "Springs" or the "Falls," excepting to give them a passing glance, to extend their movements through the great chain of the "Northern Lakes," and he marks out the course most eligible for them to pursue, whether their point of departure be west or east of a meridian line, dropped from Mackinac, the "centre of gravity" (as he terms it), down through the States.

It is already well known to the residents of the lower Mississippi, that, whatever point at the North be their object, the most certain means of attaining it is by the way of Chicago and the Upper Lakes to Buffalo, and thence onward. That route has the advantage of the Ohio and Ohio canal route certainly, as the latter, so far as the Ohio river forms a part, is liable to subsidences, which often throw off all the large and comfortable boats. A New Orleans family, when it leaves behind the summer solstice and the opening autumn, and the perils to health which beset those seasons, embarks on its long peregrination with an assurance, having all reasonable probabilities in its favor, that it will reach, by the lake route, any proposed destination with comfort and punctuality. Moving up the Mississippi in the floating palaces of that magnificent river, it makes such delay at St. Louis as suits its convenience or taste. The next stage of the journey is thence to Peoria, on the river Illinois, in

boats adapted to the shoaler waters of that stream, but having ample room to gratify all ordinary requirements. It is well thus to become somewhat habituated to a diminishing scale of accommodations, in order to find the land carriage thence to Chicago less irksome in its contrast with the steamers. Post-coaches await the travellers, at this upper point of the Illinois, to transport them over about one hundred miles of prairie country, offering in its very monotony a novelty that gives the most pleasing employment to the eye. It has not the dull level of a plain, but undulates like a sea of verdure. To those who have never seen nature under this singular aspect, the sight is a rich treat, and the hundred miles terminate long before the gratification which it affords.

At Chicago, boats of the first class, as to size and all other respects, offer, every other day, the means of continuing the route, through a series of lakes, (Europeans would call them seas,) by a voyage, ordinarily of five days, to Buffalo. The length of the voyage is (as Dr. Drake states) "more than twelve hundred miles, on which the traveller is carried by long stretches to the west, the north, and the south; never out of sight of land on Erie, and not long on Huron and Michigan. During the three summer months, he will seldom encounter heavy gales; but, from the shallowness of Lake Erie, it becomes agitated by gentle winds, and it is not uncommon for the invalid to experience the unwelcome benefit of a turn of 'sea-sickness.' When an occasional tempest stirs up the deeper waters of Huron or Michigan, a more formidable agitation, such as the Atlantic might not disown, arises, but this is of rare occurrence. Hence the dangers of a voyage upon the Lakes are almost limited to fire, as 'sawyers' do not exist, and rocks are scarce, while the ample sea-room is an adequate guaranty against the fatal rencontre of boat with boat, which, on our [the Ohio and Mississippi] rivers, destroys and cripples so great a number."

This voyage affords much "to excite the mind as well as agitate the body"; both of which effects are pronounced by Dr. Drake necessary to render "travel beneficial." There can be no doubt of the truth of this remark. And there can be as little doubt, that it is better to obtain this beneficial excitement and agitation by one of these voyages of

several days, which intersperse land views with those of water, than by those short and rapid trips which are made in other parts of the country. The trip up the Hudson river embraces many views of great beauty, and some of much sublimity. But the velocity with which, in modern times, one is hurried through these scenes, so unlike the days of packets, when one had sometimes a week's leisure for contemplating them; combined with the distractions that an overloaded boat, the jostle and bustle, continued incoming and outgoing of passengers, unavoidably produce, scarcely leave the eye any time or mood for such occupation. Indeed, it is always most unsatisfactory to recollect the imperfect impressions that are left on the mind by the transient views one obtains of the Highlands, and other striking scenery, of that beautiful river. It is the fleeting pauses made each few miles on one bank or the other, that have taken the strongest hold on the memory; those pauses, made with such exact calculation as to the time necessary to enable a stream of people and baggage to run out, and another to run in, with no probable loss of life or limb, and no possible loss of a minute, arresting one's attention like any experiment that involves so much nicety and hazard. Every thing else is shadowy on the memory, and so mixed up with the inconveniences and annoying trifles that almost unavoidably beset one in the midst of a throng, allowing no play for the gentle sympathies of life, when all is unaccommodating, half selfish, and more than half uncourteous, that neither body nor spirit appears to have been benefited by the trip. The predominant feeling, catching its character from the competition of the times, seemed to have been that of impatience, and an ardent desire to pass and surpass any thing moving with us, and to reach the end of the trip with a new and unprecedented speed. Besides, those with whom you were thus closely associated for a time, elbow to elbow, or breathing on each other's shoulders, and within the sound of each other's very whispers, had gone out of mind as they departed from the sight.

It is not so with one of these Lake trips of a few days. A kind of fellowship springs up in that length of time, in spite of formality and conventional barriers that divide strangers from each other. Those on whom we hardly cast a glance on the first day, become somewhat familiar to the

eye on the second, and, by the third day, all are ready to take advantage of any of those little suggestions to conversation which propinquity ever affords, to enter upon a way-faring acquaintance, that often lends a pleasure to passing hours, and dwells pleasantly on the mind in many an after day. Besides, as Dr. Drake observes, such extended trips present a most agreeable and salutary change of climate, that strengthens the body, and gives a buoyant character to the spirits. We cannot do better than quote his remarks in connexion with this subject.

“When the south-west winds, which have traversed the vast plain separating the Gulf of Mexico from the Lakes, reach the shores of the latter, they are necessarily dry and hot. Hence the temperature of Buffalo, Erie, Cleveland, Sandusky, Toledo, Detroit, and Chicago, in the average latitude of 42° , is quite as great as their position should experience,—greater, perhaps, than the traveller from Louisana or Carolina would expect. But the duration of these winds is at no time very long, and whenever they change to any point of the compass N. of W., they bring down a fresh and cool atmosphere, to revive the constitutions of all whom they had wilted down. These breathings from the north descend from the highlands around Lake Superior, which are nearly as elevated above the sea as the mountains of Pennsylvania, and stretch off beyond the sources of the Mississippi to the Rocky Mountains. In passing over that lake, with Michigan and Huron immediately south of it, the temperature of which in summer, as we have already seen, is less than 60° , these winds suffer little increase of heat, and become so charged with moisture from the extended watery surface, as to exert on the feelings of the people along the southern shores of Erie and Michigan, a most refreshing influence.

“From the hour that the voyager enters Lake Huron at the head of St. Clair River, or Michigan at Chicago, he ceases, however, to feel the need of such breezes from the north-west; for the latitude which he has attained, in connexion with the great extent of the deep waters, secures to him an invigorating atmosphere, even while summer rages with a withering energy in the south. The axis (?) of each of these lakes is nearly in the meridian, and every turn made by the wheels of his boat carries him farther into the temperate and genial climate of the upper lakes. Entering it by either of the portals just mentioned, he soon passes the latitude of 44° , and has then escaped from the region of miasms, mosquitoes, congestive fevers, cholera-

morbus, dyspepsia, blue devils, and duns! — on the whole of which he looks back with gay indifference, if not a feeling of good-natured contempt.

“Everywhere on the shores of the lakes, from Ontario to Superior, if the general atmosphere be calm and clear, there is, in summer, a refreshing lake and land breeze; the former commencing in the forenoon, and, with a capricious temper, continuing through most of the day; the latter setting in at night, after the radiation from the ground has reduced its heat below that of the water. These breezes are highly acceptable to the voyager while in the lower lake region, and by no means to be despised after he reaches the upper.

“But the summer climate of the lakes is not the only source of benefit to invalids; for the agitation imparted by the boat, on voyages of several days’ duration, through waters which are never stagnant, and sometimes rolling, will be found among the most efficient means of restoring health, in many chronic diseases, especially those of a nervous character, such as hysteria and hypochondriasm.

“Another source of benefit is, the excitement imparted by the voyage to the faculty of observation. At a watering place all the features of the surrounding scenery are soon familiarized to the eye, which then merely wanders over the commingled throngs of valetudinarians, doctors, dancers, idlers, gamblers, coquettes, and dandies, whence it soon returns, to inspect the infirmities or *tedium vite* of its possessor; but on protracted voyages through new and fresh regions, curiosity is stirred up to the highest pitch, and pleasantly gratified by the hourly unfolding of fresh aspects of nature; some new blending of land and lake — a group of islands different from the last — aquatic fields of wild rice and lilies — a rainbow walking on the ‘face of the deep’ — a water-spout, or a shifting series of painted clouds seen in the kaleidoscope of heaven.” — pp. 10 – 12.

Though some may be inclined to smile at the enthusiasm here exhibited, in regard to the beneficial influences of these Lake excursions, we know, from experience, that they are not overrated; we know, also, that generally, those who have made them look back upon them with satisfaction, and a grateful recollection of the benefits they have afforded.

This address does not confine itself to a mere geographical view of the regions brought under consideration. It supposes that there may be other sources of gratification than those which arise from an examination of natural beauties and natural phenomena. It truly states, that “the

North has attractions of a different kind, which should draw into its summer bosom those who seek health and recreation from travel. From Ontario to Michigan, the voyager passes in the midst of spots consecrated to the heart of every American, and deeply interesting to all who delight to study the history of their native land. The shores and waters of the Lakes, so often reddened with the blood of those who fought and died in the cause of their country, will present to the traveller of warm and patriotic feelings scenes which he cannot behold without emotion, under which real diseases may abate and the imaginary be forgotten."

This eloquent allusion to these historic scenes is followed by a brief enumeration of them, as they successively arise to solicit attention, in almost every quarter, throughout the whole excursion; those quarters having been the theatre of many interesting and important achievements, during a series of Indian wars, and during the war of 1812 with Great Britain. However some fashionable minds, which have been engrossed by thoughts connected with metropolitan dissipation, may turn with indifference from such associations, they are most proper and honorable objects of pursuit and contemplation. An actual survey of grounds which have been made memorable by actions that have caused the loss of blood and life, and promoted the welfare or vindicated the rights or honor of one's country, expands and elevates the feelings, and makes one duly proud of that country, and duly grateful for services that have been rendered in her hour of need.

The address embodies many facts relative to the Northern Lakes which may not generally be known. As one gradually moves through this vast chain of waters, it may not enter into the mind, that an ascent is constantly going on, rising step by step into the "liquid chambers" of the interior, until, at the Sault St. Marie, a height of more than six hundred feet above the level of the sea has been attained. It also states the probable depths of these enormous basins of water; that "the lead has been sunk off the mouth of Saganaw bay eighteen hundred feet, more than twelve hundred below the level of the Atlantic Ocean, without reaching the bottom." This profound depth at that point is well attested by the heavy sea that is rolled up there,

when a furious northeaster “turns up the bottom of the deep.”

In respect to the “temperature of the Lakes” — an important consideration — the address states that it

“is diminished by latitude and depth. Thus, in reference to the former, we found a difference of 10° or 12° between the heat of the shoal water on the south side of Lake Erie, and the north of Huron; and in reference to the latter, we observed, in crossing Lake Michigan from Green Bay to Mackinac, that the thermometer first sunk from 76° to 58° ; then, after passing the centre of the lake, and entering the Straits of Mackinac, gradually rose to 64° . Again, on leaving the harbour of Mackinac, several days afterwards, it was 61° ; in the deep waters of Lake Huron it sunk to 53° , while at the lower end of the Lake, in shallow water, it rose to 65° . We made but a single observation on the heat of the water *below* compared with that of the *surface* of the *same* spot. It was in Huron, near the island of Mackinac, where we found the surface water, and that two hundred feet deep, of the same temperature, 56° . Travelers, then, who, in crossing the lakes, wish for cool water, need not draw it from their depths, as that of the surface, at any given point, would be of the same temperature with that beneath. This uniformity results, no doubt, from the transparency of the upper lakes, by which the rays of the sun penetrate them, without meeting with solid matters in suspension to elicit their heat; it is like their passage through the cloudless atmosphere, which they do not warm.” — p. 9.

Dr. Drake dwells with much delight on the picturesque features, and traditional and historical associations, of the island of Mackinac. Probably few or none have visited that singular and beautiful island with other than a similar feeling. The voyage, either way, naturally fits one to relish the novelty it presents to the eye. It has been the object of admiration, and even superstitious respect, among the aborigines, through all their known history, as is strongly bespoken by their traditions, and the persevering efforts they still make, when all other customary motives are withdrawn, to revisit it, that they may draw up their canoes upon its pebbly shore, pitch their lodges beneath the shadow of its lofty cliffs, and mount to its pinnacle — more than three hundred feet above the level of the Lake — and dwell on the glorious scene spread beneath and far around. Nature has exhibited her most freakish humors in this island, and thrown

some of her works into the shapes of art, as if the latter had designed and executed them instead of herself. The "Sugar-loaf Rock" is, as its name imports, a protuberance of a regular form, rising eighty feet or more above the surface; a geological problem that puzzles the scientific to solve. Whether its cone was thrust up above the common level by some subsultory force, leaving the surrounding mass undisturbed; or whether strata have been washed away, and left this monument to mark their former elevation, are questions that remain to be answered.

This island has also its Leucadian Rock, or "Lover's Leap"; an Indian girl, according to tradition, having, Sappho-like, sacrificed herself there for love. It stands, like a pinnacled turret, on the upper edge of a lofty cliff, forming a leap of nearly two hundred feet. As it would be unclassical, in such a case, to run the hazard of being bruised to death on the rocks beneath, it is presumed that the waters were, at the time of this sacrifice, at a higher level than they are now, when a watery grave could hardly be reached by the most extraordinary effort.

But the most striking object on the island is the "Arch-rock," as it is generally termed. Dr. Drake speaks of it as a "natural bridge," but to warrant the application of that name, it should be more passable than it now is, or probably ever has been. Some light-footed quadrupeds, and persons adopting the position of quadrupeds, have attempted to scramble over its *archivolt*. It is seen on the eastern cliffs of the island, where they rise perpendicularly about one hundred and fifty feet above the lake, its outer abutment resting on the beach, while the other forms a part of the main bank. The arch is slightly rampant, and about thirty feet in span; its sweep is of a most symmetrical character, though the rocks are knit together in a rude manner, and leave the spectator to wonder how, without keystone, or *voussoir*, or any of the securities of masonic arrangement, they hold their place in the upper air. Both the view from above, giving one, through the aperture, a glance at the waves far beneath,—and from below, opening a "narrow vista into heaven," are equally beautiful, and long enchain the eye. Indeed, there are few, if any, places in the United States, where a week or more can be passed away with greater promise of benefit to the health and spirits, than at the island of Mackinac. It has a labyrinth of quiet, shady

walks, which that week or more could not unravel ; it has ascents and descents, which bring, in healthy succession, every muscle of the system into activity ; and it has views from its apex, where one can turn on the heel through all the points of the compass, still feasting the eye on attractive prospects. It has mysteries, besides, which lend to it a spice of the marvellous. A wanderer among the deep and tangled groves that crown the island reports that he stumbled on a fissure in the rocky mass that outcrops there, into which he was tempted to cast a stone, which went "nickety-nock" far down its dark depths, until it splashed, with a smothered sound, into hidden waters there. The "rotten limestone," of which this island is mostly composed, gives it a cavernous character ; such latent wells are, therefore, not improbable.

Dr. Drake has not forgotten to bestow due praise upon the "white fish" found there and at the Sault St. Marie, remarking, that it is "food for nymphs," and that "its flesh, which is the cold and clear waters of the lake organized and imbued with life, is liable to but this objection, that he who tastes it once will thenceforth be unable to relish that of any other fish." To this high encomium may be added the tribute paid to its excellence by, perhaps, a better judge, because of larger fish-eating experience than Dr. Drake. Mrs. Jameson, who had eaten the best fish of the Atlantic and the Mediterranean, somewhere has recorded her opinion, that, good as some of them are, and still better as others are, the white fish, in flavor and texture, is the best.

The excursion that is so strongly recommended by Dr. Drake to the invalid and the unoccupied, who seek for health or recreation, has been long known to European travellers, who seldom cross the Atlantic without also crossing our Northern Lakes. They tarry awhile in our cities to look at buildings, examine institutions, watch the ever-shifting multitude by day, and observe the more stationary society at night ; take their flight interior-ward ; perch a day or two at the Springs ; make a much longer pause at the Falls, where the thought of man is almost lost in contemplation of the overwhelming grandeur of nature, the secrets of whose operations are there so truly "past finding out" ; and then embark on a trip over the Lakes, that they may person-

ally observe the length and breath, reflect on the height and depth, and all the geographical phenomena, which so peculiarly mark the northern part of our hemisphere with features of magnificence that have no parallel in the aspects of the older world.

The metropolitans of our country can hardly persuade themselves to venture beyond the limits of their social connexions. Where these terminate, their peregrinations mostly end. The limits thus determined usually extend as far as the various Springs and Falls, at which places are found nearly all the luxurious comforts and polished courtesies of life. The presence of these permits all habits and tastes to have their usual indulgence. Any departure from this narrow round would be regarded as an aberration from the proper orbit, likely to lead only to confusion and noxious contacts. It is thus that the daintiness and conventional monotony of city life are seldom interrupted. The outer world is almost unknown. Mankind at large is never contemplated ; for in going from city to city, and from one " watering-place " to another, it is, literally, *cælum, non animum, mutant* ; nature is seldom seen in her noble phases ; and thousands live and die without learning the important lesson, that what they see, what they feel, and what they endure, is but a part, and a small part, of the common lot of man. It is a study to observe one of these fastidious beings, when some accident or necessity throws him beyond his habitual associations, and notice the surprise and shrinking with which he witnesses the novelties of manners and things as they arise before him. It was truly remarked by Washington Irving, when, amid the privations of his prairie excursion, he was growing in strength of body and independence of mind, that one such tour was worth, in its influence on the traveller, a hundred tours in Europe, revolutionizing, as it did, the whole system in all its capacities, and showing one that manliness is the fruit of harsh and varied experience. Having never slept but with impervious roofs and ceilings above, and eider-down beneath, we imagine that one night's repose on the damp earth, with nothing to shelter us from the dews of heaven, would be more than we could bear. Mr. Irving found that he could survive hunger, thirst, and all the ills that campaigning in the wilderness is heir to ; that " man is man," however he has been brought up, provided

he dare what man dares ; and, no doubt, he now reposes at Madrid, with all the better relish for the comforts and luxuries of a European capital, because he has "camped out" on the western prairies.

This allusion to foreigners brings to our mind an accomplished gentleman, M. Latrobe, with whom we travelled a few hundred miles on his western excursions. He had recently returned from his visit to the *trans-Mississippi* region, having been there with Mr. Irving, in the tour of which we have just been speaking. The freshness of nature and the freshness of man, as they exhibited themselves in a new region, then just budding into cultivation and population, delighted his liberal and inquiring mind at each step of the way. And he thought lightly of the inconveniences and the rough accommodations generally met with, where all was inceptive and unfinished. No supercilious reference to better styles of living bespoke offence or disappointment, where either would have been misplaced and absurd. He revelled in the beauties of the rich prairies, then mostly unbroken in their sward, and wearing the same covering that had clothed them since an extinct and forgotten race first subdued the forest that probably once grew there ; inciting the mind to weigh this theory with a thousand others, that are framed to account for an anomalous condition of the earth's surface, equally removed from, and apparently standing midway between, the extremes of wildness and cultivation. He regarded the changes that were breaking forth on every side, the evidences of enterprise, industry, and overflowing population, with philosophic and philanthropic gratification. During the journey, no "taken notes" was apparent, and no suspicion arose that the intelligent observation of men and things, manifest throughout, would assume the form and pressure of print. Yet we were often led to think, that should any of his observations find their way to the public eye, they would be likely to bear the stamp of an ingenuous, discerning, and scientific mind, excluding all pandering to the British avidity, at that time so prurient, for querulous criticism, scandal, and caricature.

At a somewhat later period, we happened to be in the same steamer with those distinguished French gentlemen, Messrs. Beaumont and De Tocqueville, in a trip to Mackinac and Lake Superior. They had embarked on the Lakes

in pursuit of their ostensible object, an examination of penitentiaries. It was evident enough that they had already gone far beyond those "prison limits," and had left the boundary of such institutions far behind ; but they could not resist the desire to fly off, in a tangent, to the wide and novel fields of observation, that such a trip would spread out before them. Their minds appeared to be let loose from the restraints that had thus far bound them, according to instructions, to a specific inquiry, and their spirits ranged abroad over the fresh seas, and the wild banks that hemmed them in, with the most buoyant (almost *boyant*) exhilaration. They fished and fowled and sketched, rambled and scrambled and paddled, with the most light-hearted and the most light-footed of the party, which happened to be a gay and a large one ; were in raptures with Mackinac ; watched with enthusiasm the ever-shifting scenery of the river St. Mary ; went up, with the rest, to the neighbourhood of Gros Cap and Point Iroquois — the Pillars of Hercules of Lake Superior — and heartily joined in the ceremony of washing the hands, under a bright summer sun, in the cold waters of that immense basin, and assisted in pouring out a libation of wine upon the glittering sands of its brim ; and then, with three or four ladies and gentlemen, closely nestled in a bark canoe, with a *voyageur* at the bow and in the stern, to shun the Scyllas and Charybdises there, descended the Rapids, a full half mile long, ere their breaths — somewhat suspended, it is true — had respired half a dozen times. With a charming simplicity and versatility of manners, they soon appeared to have lost their foreign character, and easily harmonized with all around them ; while Mr. De Vigne (also on board), the English tourist, who afterwards published his observations, began, continued, and ended the trip, without having thrown down, so far as we recollect, one of those barriers that most naturally, in the outset, separate a stranger and a foreigner from those among whom he is accidentally cast. He came and departed the "strange gentleman" ; was observed to walk the deck much, to talk very little, and to make copious memoranda.

While we are thus citing a few examples of liberal curiosity, and willingness to encounter whatever inconveniences or privations may be met with in gratifying it, we are tempted, too strongly for resistance, to allude to another

instance of hardy enterprise in another foreigner of high rank and still higher intelligence, who, after having visited these Northern Lakes, resolved to penetrate from Lake Superior to Hudson's Bay, and thus return to Britain by a hyperborean circuit, such as few would have the nerve to undertake even professionally, and still fewer as an amateur excursion. Perhaps the blood of Selkirk circulated in his veins with an energy that does not animate many bosoms. The father, in his perilous and almost romantic peregrinations, had explored much of the vast region that spreads from Labrador to the Sascatchawaine east and west, and from Lake Superior to Hudson's Bay south and north; the son, after having looked through our principal cities, and contemplated the theory and practice of our institutions with an extraordinary degree of good sense, seemed to consider his transatlantic visit but half completed, if he left the Upper Lakes, and the still more northern wilderness, without, at least, a cursory survey. He embarked for the Sault St. Marie with an intention, if he found no vessel there bound to the northern side of Lake Superior, to foot it around the eastern border of that Lake to Fort William, with no other suite than a stout Highlander — a Rob Roy looking domestic — and a guide.

These personal allusions may not be deemed inappropriate, when the object is to set forth, in quarters that may furnish strong allurements to imitation, examples of a spirit for inquiry and observation, that showed no regard for those boundaries which mark the termination of some of the comforts, more of the luxuries, and most of the effeminacy, of metropolitan life. If Dr. Drake's recommendation, joined with these desultory remarks, have any influence with the travelling public, there will probably be a large gain on the score of health, manly habits, and patriotic feeling.

- ART. V. — 1. *The H—— Family*. By FREDERIKA BREMER. Boston : James Munroe & Co. 12mo. pp. 212.
2. *The President's Daughters, a Narrative of a Governess*. By FREDERIKA BREMER, Authoress of "The Neighbours." Translated from the Swedish. Boston : James Munroe & Co. 12mo. pp. 230.
3. *The Home, or Family Cares and Family Joys*. By FREDERIKA BREMER. Translated from the Swedish, by MARY HOWITT. New York : Harper & Brothers. 8vo. pp. 134.

THAT kind of fiction, of which these works are a most favorable example, has gained so firm a hold upon the public taste, that it is now the most common recreation in civilized lands, and has become so essential to the intellectual enjoyment of many persons, that they can relish nothing less exciting. The writers whom the people most delight to honor are writers of fiction, and much less fervent reverence is paid to those who deal in truth. Some think it necessary to administer truth in the disguise of fiction, in order to make it go down. When the young mind opens, fiction is the first thing which it learns to love ; and a taste is thus early created, which it retains, and which has an effect to color its character and destiny in many future years.

When the use of fiction is become so general, it would be of no use to argue against it, and we propose to do no such visionary thing. The imagination is part of our nature, for wise purposes, no doubt ; and as long as these purposes are defined and kept in view, there can be little danger. Amusement is one of these purposes ; not the highest, certainly, but still one of them ; the mind cannot be always on the stretch ; the bow must be unstrung at times, and entertainment at such times is of service to the mind and heart. If fiction is occasionally used for this purpose, to lift up into the world of fancy one who is tired of walking in the dusty road of existence, the indulgence may be of service to the mind and not injurious to the heart.

But obviously there is danger of excess in this indulgence. These luxuries must not be the daily bread of the mind. For the effect of these fictions on the mind closely

resembles that of stimulating food upon the body ; it is agreeable, no doubt, for such food is eagerly devoured ; and the occasional use of them, like the moderate use of food of that description, may do no harm, for it is possible to live too low. But when we come to the constant and habitual use of either, it is ruinous, in the one case to the physical, in the other to the intellectual system ; and whoever cares for the health of body or mind will hold them in sufficient dread, at least, to keep himself out of bondage.

It is the tendency of this taste to become excessive and engrossing ; it grows and gains fast upon the other appetites and tendencies of the mind. Some will say, What if it does ? We answer, that single fact proves it to be an unhealthy taste, and one which cannot be indulged without injury and danger. It is in this as in other things. To use an illustration sufficiently familiar, the appetite for bread and water is a natural and healthy one ; there is no tendency to use either of them to excess ; the constant use of them inflames no passion which it will afterwards be hard to put down. But not so with the desire for stimulating food and drink ; it tends at once to excess, and this tendency is proof enough of an unhealthy appetite which it is dangerous to indulge. There is no danger that the taste for true history shall ever become excessive ; it is healthy in itself, and indicates right action in the intellect. One who reads habitually what is true, can at times resort to fiction with pleasure ; while the habitual reader of fiction cannot interest himself in simple and unexciting truth ; a bad sign ; because the mind in its right state will always welcome truth with satisfaction.

Besides being unhealthy, this taste displaces others, better than itself. There is one among our feathered tribes which always lays its egg in the nest of some smaller bird. As soon as the young cow-bird is hatched, though it has no enmity with the lawful heirs, the nest is soon found too narrow to hold them all, and the result is, that the smaller go overboard, and the offspring of the thief is left the sole possessor ; — an exact parallel to the manner in which the love of fiction takes a piratical and exclusive possession of the mind. It is edifying, sometimes, to hear worthy parents boast, that their young hopefuls are great readers ; but if, on inquiry, they find that it is fiction in which these promising ones are so deeply engaged, they might as well boast

that their children devour great quantities of confectionary, as a proof that they are healthy, and likely to continue so, as infer, from the amount of fiction which they swallow, that their minds are in the way to improve. In the one case, the young *gourmand* will become diseased, and have no relish for the food which would make him strong ; in the other, those bright young sparks will show, when it comes to reading for improvement, that they have no more heart for it, than he who drinks intemperately, has for water from the mountain spring.

The chief danger arises from the fact, that the mind is passive in this kind of reading. In reading for improvement, it is not so. In that operation the mental powers are active ; many questions start up ; new trains of thought are awakened ; instead of tamely receiving the communications of the writer, the mind originates ideas of its own. This is the great benefit of such exercise ; no one remembers a thousandth part of what he has read ; the advantage is found less in the direct attainments so made, than in the vigor and activity awakened and sustained in the mind. But in reading for amusement, the intellect originates no thoughts and gains no new power of action ; it subsides rather into a luxurious, dreamy state, resembling that produced by narcotics, whereby all intellectual and moral energy is lost, and self-indulgence reigns omnipotent within. It is more pleasant, no doubt, to sail over smooth waters without effort of one's own, than to foot it on the rough highway ; but the tenant of the pleasure-boat gains no exercise, and grows weary to death of his perpetual happiness ; the wayfarer, after his first weariness is over, enjoys the sensation of full health ; one of the most delightful which it is given to man to know.

There cannot be much force, then, in the impression that good moral instruction may be conveyed in a fictitious form. Given, no doubt, it may be ; but whether it will be taken or not is a different question, not to be so confidently answered. Experience on this subject abounds. The most common aim of such writing is, to excite the benevolent affections. But the utmost it ever does is to excite some tender emotions, which never become principles, nor very efficient impulses ; there is a slight melting of the ice in the sunbeam, but when the light is withdrawn, it freezes as hard as ever. Now these emotions, which do not lead to action, grow less

and less each time they are repeated ; the tears, perhaps, are shed as usual, since they cost nothing, but the heart becomes so cold, that if any are in need of relief, one of these weeping-willow philanthropists is the last person to whom they would go. Nothing can touch his feelings but graceful and interesting distress ; and as all real suffering has something coarse and distasteful in it, he reserves his sympathy for imaginary sorrows, and, where nothing is wanted, he is perfectly ready to bestow. This morality of fiction, as might be expected, produces only a fictitious benevolence ; and if this reading be only a self-indulgence, to expect self-denial to grow out of it is as reasonable as to look for strawberries on snow.

The mind, being thus passive in reading fiction, is exposed to injurious influences, which, if it were in action, it could hardly feel. The health of the mind is analogous to that of the physical system, and depends on similar laws. Let a man be exposed to the evening air in an unhealthy climate ; there is no danger while he is in motion ; but once let him sit down to gaze at the moonlight as it sleeps sweetly on the landscape, and he will breathe in disease with the fragrance of the flowers ; still more, if he slumbers under the serene influence of the hour, it is almost certain that his days are numbered. The enjoyment of this kind of reading is attended with similar danger ; it has a soothing and peaceful effect ; one cannot persuade himself that peril is near ; but certain it is, that his moral health will sink under the influence of the pestilent scribbler whose works he reads ; the sensibility of his conscience will be impaired ; his hatred of guilt and unworthiness will be put to sleep, and his heart will welcome suggestions which formerly he would have repelled with fear and shame.

It may be said, however, that all writers of fiction are not of this description. It is true, they are not, and well for the world that it is so. The best and most eminent of them do not stoop to licentiousness and corruption. But many of them are persons who will descend to any thing for the sake of effect ; having too little principle to care for, or even to be conscious of, the injury they do, they can, by means of a temporary popularity, spread the infection among thousands, simply because the minds of their readers are too passive to understand their danger. Thus there are those whose whole employment seems to be to turn vice into virtue, and shame

into glory, till all moral distinctions are worn away by the perpetual dropping, and the blindfolded reader will accept some poor knave as not only a gentleman and man of honor, but high-souled, whole-hearted, and whatever other fair name, taken in vain for the purpose, these conscientious people think proper to bestow. These men, from Byron down to Bulwer, and many a fathom down it is, have labored to represent human nature, when defiled, degraded, and passion-stained, as more elevated than before its fall ; Herod, eaten of worms, as more graceful and commanding than Solomon in all his glory. There cannot be a more impudent affront to the common sense of mankind. The artist might as well maintain that the drunkard's redness is more beautiful than the school-boy's bloom, or the features wasted by sensuality more honorable than the soldier's battle-scars. It is all a base fraud ; it is neither according to truth nor nature ; the delusion contaminates the heart that gives it welcome ; it conducts many a youth to a wretched life, a lonely prison, an untimely grave, or, perhaps, to the pirate's doom.

Happily there are not many writers of this description, though there are some who have been admired by men who might know better ; but if the majority are of a higher order, it is unfortunately true of the best of them, that they create a taste for fiction which can only be fed with fiction. Let a youth begin with the most unexceptionable writers, who would scorn to prostitute their talents to licentious uses ; still, the more he is fascinated by them, the more does his taste for such excitement grow. Once created, this appetite soon loses its moral taste and power of selection ; it will demand, and it will have, indulgence ; it can no longer appreciate works of high moral beauty, and it will swallow all that comes in its way, without regard to either character or effect. The epicure may begin with champagne ; so long as it exhilarates, he will ask for nothing stronger ; but when it ceases to excite, he will go on to the coarsest products of the still. In the same way do even such writers as Scott create this taste, which is not satisfied when their works are exhausted, and, instead of turning to any thing really valuable and improving, takes up with Irish whisky, like Jack Hinton, or those writings of Ainsworth, which are most aptly represented by New England rum ; leaving us to bless our stars, however, that our climate, while it rejoices in the one

commodity, has not, as yet, produced any thing like the other.

With respect to the indications of danger, it is sufficient to say, that where the taste for reading for improvement is lost, there is injury already done. The reader may throw by the news and the novels of the day to ascertain how essential they are to his enjoyment ; whether he is dull and listless without them ; or whether he can turn with animated interest to works of a different order, such as put the mind into action and send a healthy glow through every part. If he finds that it gives him no pleasure to exert his powers, that improvement has no attraction, and that he turns to his fiction like the intemperate man to his glass, he may well regard himself as already in the perilous position, where many fine minds have been ruined by self-indulgence. It is owing to this, that so few persons think. Their minds play and float on various subjects ; but they may as well call drumming with their fingers bodily exercise, as give the name of thinking to revery and waking dreams, which, so far from amounting to action, oftener show that the power of action is lost.

But we have said enough on this subject ; enough, probably, if our subscribers were of the younger class of people, to diminish materially the circulation of the Review. If any one of them should be conscientious enough to read our remarks, and should be, like old Transfer, in “Zeluco,” willing to hear reason when he has made up his mind, he will see that, with impartiality quite unusual in reviewers, we have presented both sides of the subject in this and in a former number ; so that if, after all, he is still dissatisfied, the fault cannot be ours. We think it matter of congratulation, that the kings and queens in this department of literature, have been blameless in proportion to their genius. That power so mighty should be lodged in safe and conscientious hands, considering the waywardness of talent, was hardly to be expected. Still it has been so ; and though there has been an instance here and there of some adventurer, who has succeeded in gaining influence and even admiration, without any thing in his mind and heart which really deserved it, the world find him out at last, and turn their backs on him without ceremony, taking ample vengeance not only for his vices, but for their own blindness, which they remember with wrath and shame.

Scott must certainly take the first place among writers of fiction, though there are defects in his writings which were not perceived in the dazzle of his living renown. His understanding was vigorous and manly ; though under the influence of many traditional impressions and prejudices, it was not because he wanted sagacity to see through them, but because strong family and patriotic attachments made him willing to invite and cherish the delusion. Take him in the broad highway of life, and no man could judge more truly, no man's vision was clearer and sharper than his ; but with his foot on his native soil, and his ear drinking in its enchanting legends of story and song, he could admire such a savage as Claverhouse, with only the thin veil of chivalry to cover his bloody hands, while he had no voice of cheering for those who stood up under intolerable oppression to fight the battles of the free. Hedged in as he was by early associations, he became too ready a slave to those creeds which go down from one generation to another, venerated by their friends in proportion as they are suspected by others, till the world at once awakes to a universal sense of their hollowness, and they sink unlamented in the dust. In this he differs from Shakspeare, whose kings, lords, and prelates were men, — good or bad men as the case might be ; with whom the man was always more than the office or the title, and no robe nor mantle hid the outline and proportions of the moral form. With this abatement, the highest praise can be given to Scott for his healthy tone of moral sentiment ; it might seem light praise in Christian lands to say, that he is free from every thing licentious and corrupting ; but it is much to keep the garments white, where so many have been stained ; where the great genius, which, for a time, eclipsed his own, — we mean Byron, — left a memory in which the glory bears but a small proportion to the shame.

The same praise is due to Miss Edgeworth, who stands second only to that great master ; her fame thus far has found many critics, but none that can fairly claim to be rivals. In her works we find much of the true philosophy of life, if we may use a phrase which has figured in so many antic combinations, that it is almost ashamed of its meaning. Her analysis of character is full of discrimination, and her detection of secret motives and impulses sufficiently keen and searching ; in fact, the sagacity with which she detects

the hidden movements of the heart, setting the moral before the reader in a few words of concentrated wisdom, sometimes makes her seem deficient in that tenderness for poor humanity which its sins and weaknesses should ever awaken, and which such minds should be the readiest to feel. In such a story as *Vivian*, for example, which is, perhaps, the most powerful of her sketches, nothing can be finer than the manner in which she points out the unconscious frailty with which resolution sinks into infirmity of purpose, and thus leads on to hopeless guilt and dishonor. In the power of moral impression she is quite unrivalled, owing, in great part, to her singleness of aim and effort ; while a person of considerable promise, like Miss Martineau, believing herself to be a world's convention of all manner of gifts, exerts her powers in so many directions that she contrives to excel in none, Miss Edgeworth presents her morals, patriotism, and political economy, in that form where she is always at home, and thus makes and fixes impressions by light suggestions, where solemn discussions would not be regarded. In her day, sympathy with human nature was not, as it is now, a chief element in the popularity of distinguished writers ; but the consciousness which she seems to have, that the deepest fountains of interest may be found in the valleys of life, the warmth of pleasure with which she describes lowly dwellings and their tenants, with the glory and joy of virtue thrown around them, and the familiar ease with which she gives them their places among the great and high, will secure her renown in coming ages, when men shall deal more in the realities of life, and be less enslaved to the outward show.

But we have no time to allude particularly to those who, in our own and other countries, have made themselves eminent by their success in fiction ; not even to Bulwer, who, by dint of a certain air, established himself as the Brummel of literature, though his only conception of gentlemen seemed to be, that they were people manufactured by the tailor, and therefore he saw no reason why thieves and murderers, properly dressed, should not sustain that character as well as better men. Nor can we dwell on a later and more deserving favorite of the public, who, after being over estimated, is in danger of being placed below his proper station, and to a far greater degree. His gifts are of that kind which tell with great force upon the public mind ; a rich vein of humor,

though not by any means of the purest, a quick observation of character, and a bold and free hand to set it down, and, what is more, a ready sympathy with human nature in all its aspects and abodes, made him popular almost without example ; men expressed their enthusiasm in a manner which they were sure to be ashamed of a little while after, and then, instead of rejoicing that they have hearts to be so easily moved, they wreak their resentment upon the innocent writer, whose works have betrayed them into such overflowing exhibitions of delight. Now they begin to perceive, what is true indeed, that his characters are somewhat excessive and overdone ; that such persons as Squeers and Quilp never had their originals in nature ; that the writer has not sufficient resources to supply the constant drain ; and that the manner in which he dashes off his opinions on many grave subjects shows that he has been at no expense of thought about such matters. Still, if he has patience to bear the reverses incident to the life of every popular writer, and can escape the acid fermentation which always indicates the swift decay of fame, he may yet assume a place above this capricious public taste, which none can venture to defy, but which real merit is sure to carry with it as pioneer and trumpeter at last.

Meantime, another competitor has stepped into the field, and from a quarter where nothing of the kind was expected ; but though the scenes of Miss Bremer are laid in the North, and her views of social life savor strongly of local peculiarity, she is not a painter of manners ; her characters are not Swedes, but men and women, and, those traits which are common to mankind being so finely traced and brought out, they are welcomed, not as persons figuring on a stage, nor as moving shapes in a diorama, but as human beings, such as we have often met ; such, indeed, as we meet wherever we go. She seems to describe her own mind and feelings in the sketch of one of those sensible and affectionate women, who go into a family with a ready sympathy for all its members, and inspire such confidence at once, that every heart turns its open side toward them. She is not blinded to substantial merit by the rough word or hasty action ; in the young she can see gleams of promise through the offensive peculiarities of childhood, and she can exert that forbearance toward the old, which disarms all angry passion ; keeping the

waters of life, by her own unconscious influence, all clear and smooth about her, she is able, without effort, to see far below the surface, and to trace what is not manifest to common eyes. She has the courage to paint life as it is ; as Shakspeare shuffled clowns and kings together, she takes her reader at once from the parlour to the kitchen, showing in the same view the preparations for dinner and the fermenting elements of tragic passion in the household ; the fretful impatience at one moment of those who can be great and self-denying at another ; and painting to the life those half laughing tears and those self-consoling sorrows, together with those battles of the secret heart, which would make men's lives scenes of thrilling interest to any eye that could look them through. In this department she excels all who have gone before her ; and, however loose and disjointed her stories may be ; though all the unities of time, place, and character may at times be furiously disregarded, one who reminds the reader so often of what passes in his own life and his own heart is sure of that affectionate and grateful interest, which is far more enviable than any amount of profit or popular fame.

Miss Bremer, in a letter to Mrs. Howitt, expresses wonder that her works should have interest in England which is so rich in romance already. It is not the romance of her works which gives them their attraction ; on the contrary, where the picture of every-day life is so exactly presented, the romantic materials which she interweaves are out of place and unwelcome. They are like one of Mrs. Radcliffe's horrible war-figures set up in a common drawing-room, or a ghost exchanging compliments with living people. In "The Neighbours," every one is oppressed with the fierce romance of Hagar, whose character and presence seem always odious and unnatural, and whose confessions, though relied upon to clear up the reputation of Bruno, leave it, after all, about as dark as before. Bruno himself goes to the utmost bound of romantic propriety ; we cannot help feeling that the return of the Prodigal Son is more according to truth and nature ; and lament that the happiness of Serena should be intrusted to such wayward hands ; but even he is far less oppressive to our faith than Elizabeth in "The H—— Family," who is as unfit for any purpose of interest in a story of common life as a volcano for a mound in a pleasure-garden. Such female

Giaours may possibly be found in Oriental regions, but are utterly unsuited to the high northern latitudes in which the scene of the story is laid. In "The President's Daughters," there is a different kind of person, a sort of genius, who is happily removed to Rome by a benevolent friend, early in the progress of the story, much to her own, and not less so to the reader's satisfaction, leaving him to travel in peace and comfort to the close. In ordinary stories, these materials would answer well enough, because there is not sufficient probability and truth to nature to put them to shame; but for one who deals so familiarly with home and the heart, and whose great power is shown in the profound interest which she can give to common things, we feel that these theatrical pageants are unsuitable and unworthy.

We have nothing to add to our former remarks on the subject of "The Neighbours," a work admirably suited to herald forth a new literary name. It has passed at once into a popularity more general than it has often been the lot of such a story to secure, having interest not only for childhood and youth, but for a large class of maturer readers, who had long since laid fiction aside, and never expected to see an inducement to return to it again. Since the public always require that each new appearance of a favorite writer shall be more brilliant than the last, it was not to be expected that "The H—— Family" should come up to that somewhat unreasonable demand; accordingly, though with the advantage of some striking scenes, and an excellent translation, it has been accepted as an imperfect sketch, rather than a work, and as such has been admitted to considerable favor; not placed in the same rank with "The Neighbours," indeed, but regarded as sustaining the author's high reputation.

"The H—— Family" opens with an unpretending scene, in which a custom-house officer sustains the chief part; and incidental and careless though it is, such a picture shows, better than more labored ones, the spirit, power, and kind sympathies of the writer. It is needless to do more than name what every reader remembers. The traveller is interested in the appearance of the red-nosed officer, coldly civil and respectful though he is, in the discharge of an unpleasant duty. At first, she was disposed to quarrel with him, on account of that duty; but the cold nose, the sad

expression, his four children, the snow-storm, all passing before her, changed her feeling into kindness and desire to serve him. When he took off his hat to her at parting, she would fain have stopped the sleigh to make him a present ; but that sort of irresolution, which every one understands, prevented her doing so, and the opportunity was lost. As soon as she arrives in the cheerful parlour, and sits down at the well furnished table, the transition from the storm without to the happy scene within fills her with delight, till the vision of the frozen nose places itself before her, as an upbraiding to her conscience, and nothing else can she see. Who is there that has not reproached himself thus for losing some opportunity of serving others, and consoled himself, in like manner, by one of those promises for to-morrow, which are so easily made, though it is not on record that any one of them was ever redeemed ?

This whole story unfolds to us some of the realities which are found in the living letter ; and we are well persuaded that even the anfractuosities, as Dr. Johnson calls them, are not only according to truth, but were drawn from living nature ; such, for example, as the misgivings of the eldest daughter just before her marriage with a man every way calculated to make her happy, while she insists upon it that she shall be miserable, and determines to separate, after the manner of him who would cure the headache by amputation ; — and the case of Julia, for a time praising the looks of her *non-chalant* and hearty suitor, and persuading herself that she loved him, till she becomes conscious of those wants of the mind and spirit, which sometimes make themselves felt where they are not understood, and finds it necessary to her happiness to remove the graceful form in favor of the heart and soul. In reference to such connexions and separations, and the means of preventing needless alienation in those who have embarked for life together, the lessons given in this work, or rather thrown into it, are of exceeding value, and could only have come from a most thoughtful and wise observer. Nothing can be better described than the change in Julia's feelings. Before her sister's marriage, she could not bear that the service should be performed by one so horribly serious and ugly as Professor L—— ; but when her mind begins to open to a consciousness of its nature and destiny, the warm-hearted eloquence and virtue of the Pro-

fessor, the high sentiments which he awakened, and the lessons of duty and spiritual life which he taught, make her impatient of the vapid epicureanism of her handsome lover ; nor is her dissatisfaction lessened by his indecorous snore during the reading of a passage from Herder, which brings the color to her cheek and the tears into her eye. Convinced that she could never endure to be an oyster on the sand-bank of life, and that the oyster-eater was not much higher in the scale of being, she parts from her lover without breaking his heart, or spoiling his appetite, and becomes a proud and happy tenant of the humble dwelling of the Professor.

We cannot say that we greatly delight in the foreign family with which Cornet Charles allies himself, and of the episode of Elizabeth we have already expressed an unfavorable opinion. There is too broad a daylight in these works for such things to be seen to advantage ; and the wonder is, how so perfectly natural a taste can have thought it well to introduce them. When the said Cornet, in his wild love-chase, is pursued by the frolicsome party into the store-room, frantic with grief and perplexity though he is, the sight of provisions makes him hungry, and Miss Bremer permits him to eat, where an ordinary romance-writer would sooner have died upon the spot. When Beata looks for the kind-hearted Madam H. in her bedroom, she finds her prayer-book open on the sofa, its pages wet with tears, while the proprietor thereof is in the kitchen, reproving the cook for neglecting to prepare the cutlets from the breast of lamb ; this is, sad to say, in perfect accordance with truth and nature, and also with the spirit of one of Galt's characters, who, on a mourning occasion, remarked " If a' mankind were dead, so that there was but ae person left in the world, ye ken that man maun hae his dinner." Many such touches there are, which evidently came from real life ; witness the tart, concerning which it pleased the Colonel to observe that, " after he had eaten a piece, it oppressed him a little. You never know what oppresses people ; men have curious notions." The closing scene of the Provost's widow is excellent in its way, reminding us of the best part of " The Neighbours " ; but the glory of the book is the solemn earnestness of the little Thickeys, when they have undertaken to dig through the solid globe, and are deterred, not

by any misgivings as to the feasibility of the enterprise, but by the fear of falling through when the work is done. Surely, if the book were otherwise unworthy of the author of "The Neighbours," which we do not think is the case, except so far as it has less effort and pretension, this passage would be enough to redeem it.

The character of Helen in this work is one in which the author delights, and with reason ; for no other writer, that we remember, has ventured to draw a sketch of those admirable persons, who, cut off by infirmity and plainness of person from sharing the enjoyments of others, instead of being soured by the privation, enter with the warmest interest into the joys and sorrows of others ; commanding respect by that self-balanced repose of character which implies firmness and strength, and inspiring affection to a degree which none are fully conscious of, till their places know them no more. The choice of such characters, and the heart which the author throws into the portrait, show that she has that sense of moral beauty, where it is not set off by accidental advantages, which is one of the highest traits of intellectual elevation, and which gives her immense power to do good in a way which few others have travelled, and which few, perhaps, have ever known. We see something of it, indeed, in Scott's picture of Jeanie Deans, where the subject was not of his own finding, but was furnished to his hands ; but even there, we think, most observing readers are conscious that the writer attached too much importance to those adventitious distinctions in which the guilty sister abounds, so that, whatever he may say of the inward happiness of the one, and the perpetual uneasiness of the other, — and he could not say more than was true, — the external condition eclipses the reality, and the lesson is not so deeply impressed as is desirable on the reader's mind and heart.

The Governess of the President's daughters holds as favorable a place for observation, as Beata in the H—— family ; her warm sympathy with her charge gives her a true insight into their characters, and the means of drawing out the better elements of their natures ; though her method does not harmonize entirely with the traditional rules of the President's lost and blessed wife, which, out of respect to her memory, he treats as the perfection of common sense, never to be swerved from, whether right or wrong. The President him-

self is finely drawn, with his polish of manners and real kindness of heart, blended with unconscious epicureanism and a solemn tone of moralizing, curiously contrasted with real thoughtlessness and self-delusion. Real life must have furnished the original of the gracious person, who sat eating heartily at the table, and saying, at the same time, "How little does man require in order to make him happy!" The scene of the hair-cutting, and his wrath and distress at discovering the unusual manner in which she had sheared his locks, is another of those passages which seem like the daily journal of a household, not intended for publication. It is a masterly and characteristic argument, in which the Governess, while she resists his wishes on the subject of his daughter, unfolds to him her views respecting the formation of character, to which he has nothing to oppose save the maxims of the blessed Presidentess repeated in various forms of words, all showing that, while he thought it necessary to be deliberate and conscientious on the subject, he had never really thought any thing about the matter.

The great point of interest in this work is the transformation of Edla, from a sullen and discontented spirit into an affectionate daughter and cheerful member of the circle. It is not in all respects happily managed; but any defect in the detail is of little importance compared with the idea, which affords the key at once to nine tenths of the misery of life, and shows, too, where the remedy may be found. There are many minds with powers which have found no inducement to exertion, and hearts with affections not yet unfolded in light and love; and these elements of our nature, which were intended to spread the rich glow of happiness through it, become by their stagnation a burden and a curse to their possessor. If any means can be devised to put the slumbering mind into action, and to warm the chilled heart with the fervor of its own motions, the listless, unsocial, heavy-hearted being will be transformed into a messenger of sympathy and goodness, carrying sunshine wherever she goes. Edla is represented as inferior in personal appearance to her sisters, and, from the sense that she is not valued, unwilling to exert herself for others, and shrinking proudly back from their advances within the dark walls of her own heart. Her father looks on her as undutiful and thankless, not being able to sympathize with the feelings which he could not understand.

And thus a consumption of the mind and heart was gaining fast upon her, spreading inward to the house of moral and spiritual life ; a complaint, which, though it is not named in the books, is fearfully common. When physical disease affects the frame, it is plain to every eye ; but no external sign betrays the hectic flush which indulgence has brought upon the mind ; no blackness of the surface indicates the process of death within ; and thus the human being knows not when his spirit is dead to the strongest claims and obligations ; he is conscious of unhappiness only, and that he considers others responsible for, and believes it in their power to remove it. Here, then, is the great error ; to deny the plant the nourishment and sunshine convenient to its nature, and yet wonder, that instead of blooming, its leaves should wither and fall ;— ascribing to the elements or to the rough handling of others that which is owing only to neglect. The upas in the moral world is no fiction ; there is such a plant in many a garden, near which nothing else can grow. Now the first thing is to set the mind in action, and the inducement which shall be presented to it must depend on its own nature. The author would not recommend Plato to every unhappy daughter ; there are those to whom other studies would offer more attraction, and do more good. The only object is to lift up the intellectual nature from the low place in which it lies, that it may have light to see around it and within. This the author truly regards as indispensable, and all efforts without it are as useless as setting right the hands of a timepiece which does not go.

Count Alaric is a well drawn, though not particularly pleasing, character ; high-minded, refined, and fastidious ; impatient of the follies of others, not because he has none himself, but simply because his own are of a different description ; and yet likely to be loved to excess by such a person as Adelaide, from her admiration of the oaken strength of his heart, contrasted with the gentle weakness of her own. Concerning Otto, the less that is said, indeed the less that he says, the better. But Adelaide is a beautiful picture of female loveliness ; and we cannot but regard it as an evidence of the writer's truth to nature, that while the one, with all his excellence, is too rigid and exacting, and the other painfully sensible to every thing like coldness and alienation, she should have thought it possible for an affection to exist

which should soften the one and give energy to the other, and thus make them entirely one. On the whole, "The President's Daughters" is the least pleasing of these works, though it is not deficient in passages of great interest, affords much practical instruction for the conduct of life, and would be enough to make the fortune of almost any other writer.

The most finished of these stories is that which has last reached us. We do not mean that it is more interesting than "The Neighbours," in which the story is told by one of the characters of the novel, and is beautifully colored by the peculiarities of the imaginary narrator. But as a work of art, consistent in all its parts, and with each naturally related to the whole ; with characters gradually unfolding themselves through the circumstances into which they are thrown, and in such a manner as to illustrate the writer's favorite principle of the omnipotence of love ; with the power to chain attention by the deep tragedy of real life, while the small daily circumstances, which are so little regarded, are made by their improvement or abuse to work out the happiness or desolation of the heart ; with its life-like illustrations of the great truth of Christianity, that evil can never be subdued with evil, while it can always be overcome with good, — this unpretending story must be regarded as one of the best and happiest tributes which literature has ever paid to humanity. It deserves not only to be admired, but pondered and studied by all who would understand the true wisdom of life, and escape those cares and sorrows which men bring on themselves, and which are by far the heaviest that ever oppress the heart. Our countrywoman, Miss Sedgwick, has rendered the same service on a smaller scale, with her usual ability ; but this work of Miss Bremer covers the whole ground, showing what may be made of life, and what a home should be ; — not a place where the person is protected from the elements, a fire kindled in winter, and the daily table spread ; but a place, rather, where the wants of the heart may find their best gratification in a sanctuary of kind affections, and the mind secure that contented repose which so many imagine, but comparatively few are fortunate enough to know.

The usual way in which the novel-writer exercises poetical justice is, to cause a golden shower to fall upon the favored ones of the story. The little Petrea, in her first attempt at romance, unconsciously caught the very spirit of

the art, when she described the lovers as at length happily married and established, and having eight children in one year. Such prosperity is not common in real life ; and the manner in which the novel-reader always looks for external rewards of virtue shows the necessary effect of his indulgence to make him insensible to all unseen things. This author, on the contrary, shows that there is no need of smiting a rock in the wilderness to supply the thirst of the heart. So far as outward things have any concern with it, no spring-floods of good fortune are necessary for the purpose ; if the mind is kept in action, and the affections unchilled by selfishness, every day of life may be a high festival of gladness, because, when the power of enjoyment is kept in order, the means of enjoyment are never wanting. The great truth, that happiness depends on what we are, and not on what we have ; that when the spirit is kept in tune, the harmonies of nature and of life will always be listened to with delight ; that to be at peace with ourselves, with others, and with God, brings out those full organ-tones of glory and love on which the soul floats as on the ocean, upborne from all things unworthy, and brought continually nearer to the skies ; this truth, which cannot well be expressed in words, — our own are none of the clearest, — is here manifested in living action, by setting before us the daily life of an affectionate and united family, where all discordant elements are soon melted down into union, irregular desires and sympathies reclaimed from their wandering, and even traits of fixed character, which have taken their direction for years, are affected, like the glacier in the sunshine, by the irresistible power of love.

In the two heads of this family is beautifully shown the improving influence which two persons may exert on each other, when put into communication by mutual respect and love. The scene opens with a difference about a trifle, as the most serious differences of such persons are apt to be respecting trifles, because their tempers are unguarded. The Judge hastily proposes some improvement which his busy nature suggests, and which her acquiescent turn of mind is not prepared to welcome. She is too gentle, and, indeed, too indifferent to the matter, to oppose ; but she expresses her opinion in precisely the way most calculated to irritate a temper like his. With such elements of dis-

cord, which, being within themselves, must be constantly present, nothing could prevent the result, at no distant time, of entire alienation, except a cultivation of that affection which each had pledged to the other, and which, like a winter fire, must be kept burning with care, or it will soon leave nothing but cold ashes. In many cases, these tragical consequences follow; the selfish coldness, where love might as well exist, gains upon each party, till the heavy chill of indifference prevails in every part of the dwelling, making it as desolate as the grave. But in the case before us, the wife studies out the strong excellences in the character of her husband, and learns to value and forgive; while he, in turn, is made more and more sensible of her gentle and generous loveliness, because her virtue is of a kind so different from his own. Meantime, each is unconsciously doing much to form the other; his impatient energy is daily softened into a graceful tenderness by an influence which she is not aware of exerting; and her mild spirit, which naturally inclined to sentimental dreaming, is nerved to power and self-reliance, which otherwise she could not have reached, by her deep sympathy with the man she loves. Thus the very peculiarities of character, which threatened the ruin of their peace and joy, are changed, by the influence of conscience and of love, into the means of improvement, and thus far of happiness; since it is ordained by the law which stands for ever, that goodness and happiness shall be one.

The same lesson is taught by the change in Leonora. Depressed, as she was, by ill health and the conscious want of beauty, she was fast sinking into a sullen misanthropy, when the self-denying affection of her sister Eva touched the spring of good feeling in her heart, and her whole destiny was changed from discontent and sorrow into light and love. The beauty of Eva, on the contrary, as often happens in real life, had nearly become the cause of her wretchedness, by bringing her heart into bondage to one of those worthless libertines who deceive others into affection of which they themselves are utterly unworthy. When her mind becomes diseased, in consequence of separation from her lover, it is the perpetual influence of domestic love which restores the tone to her heart, and enables her once more to exert her powers and affections, and enjoy the blessings of home. In every striking way, but easily, naturally, and

with no appearance of art, is the lesson impressed, that every thing made of life yields when the heart is warm and tender, and that there is no power, human or divine, which approaches the resistlessness of love.

One of the happiest of the author's creations is Petrea, with her active and scheming mind, where every thing is in disorder, and her kind and generous heart, where nothing is ever wrong. Her large nose is the burden she is doomed to carry ; but, though fully conscious of the misfortune, she is lifted above it by means of sympathy and affection. This same nose is a touch of nature ; it is difficult to realize how heavy the sense of some slight peculiarity of appearance often sits upon the soul ; it makes the sufferer, for such he is, feel as if all eyes were turned toward him ; as if there could be no subject of thought or conversation except his unfortunate nose. No small superiority of mind is required to save the heart from the disease of jealousy ; and the manner in which these fatal tendencies are resisted, and a wild and vagrant fancy tamed into eminent usefulness, is finely shown in this portrait, the original of which we have seen, though the painting was never attempted before.

Concerning Mrs. Gunilla and the Assessor, every reader will speak in high, but not unmeasured praise. The former, indeed, is perfect in her way, and her argument on the subject of the monads is perfectly satisfactory and convincing. The latter is, perhaps, more cynical than was necessary, though Mackenzie has drawn a character very like it in this respect, and the one in question appears like a sketch from nature. The Candidate is more open to exception ; or perhaps we should say, that such a Candidate would be thought more extraordinary than welcome in most families, his good-nature being hardly a balance for his easy epicureanism, and his religion apparently nothing more than a native goodness of heart. Slenderly equipped, to all appearance, the Candidate is, with those religious feelings which are commonly thought desirable in that sacred profession, and we cannot think that when he relinquished it, and became a teacher, the hopes of Christianity grew dim.

This is not the place to discuss the religion of these works, which, if practically true, is fantastically expressed at times ; but there is one thing to which familiarity must have made her insensible, but which is very offensive to the

taste and feeling of her readers ; we mean the allusion to solemn subjects in order to give point to a jest. If we were near enough to the author, we should assure her that the day of judgment is no laughing matter, nor is it well to surround so grave a subject with any ludicrous associations. The profaneness, too, which is found in such works as this, is perfectly astonishing in connexion with the moral purity, in other respects, of those from whose lips it proceeds. We are aware that there is much insensibility to this kind of transgression, though it implies a want of principle, like any other sin of indulgence. Some of those gentlemen, so called, who, in travelling through our country, vehemently berate it, because low people smoke and chew tobacco in the cars, will, in their very objurgations on the subject, offend all who are better than themselves, by their vile abuse of the sacred name ; little aware that, if the choice should be made between spitting and profaneness, the former vice, odious as it certainly is, is by far the least criminal and disgusting of the two.

One thing will surprise the inhabitant of New England in reading these works, and that is, the constant reference to drinking ; the Candidate takes his glass of Cogniac, as if it were part of his professional duty ; and the closing festival of "The Home" is celebrated by the extraordinary solemnity of drinking punch from a bowl over which the mother of the family presides, and each of the party in desperate happiness flinging his glass behind him. Truly, if these things are so, the King of Sweden will have no sinecure in his office of President of the Temperance Society ; it will require the power of a monarch and the nerve of an old soldier, to bring about the necessary reform.

It is needless to give extracts from books which, by this time, have been in the hands of all our readers. Nothing that we can say would add to the prevailing sense of their merit, and, if they were more open to objection than they are, no friend of humanity would wish to impair the prevailing enthusiasm, when their spirit is so unexceptionable, and their influence promises to be so happy. Not that we expect any great moral effect from the best fictitious writings ; for, as we have shown, not to injure is nearly their highest praise. But if they can stand in the way of positively injurious novels, in which the market always abounds, some of

those pernicious writers, who are not destitute of talent, may reconsider their ways, and be induced to choose a more excellent way to profit and fame. We take our leave of these works with the highest respect for the writer. The fireside is her field of fame; no one has ever equalled her descriptions of its blessings, and her skill in tracing out the sources from which they flow. Home is a word soon spoken; but there is no end to the variety of incident and condition which it embraces, of moral instruction which it may teach, or of mournful and affecting tragedy which can be seen in it by a prophet's eye. Since that high gift is bestowed on this author, may she use it with a sense of her responsibility, so that now, since her talent has made her equal to the highest, her conscientiousness and power of moral impression may set her above all other writers of the day.

ART. VI. — *The School and the Schoolmaster. A Manual for the Use of Teachers, Employers, Trustees, Inspectors, &c., of Common Schools.* In Two Parts. Part I. by ALONZO POTTER, D. D., of New York. Part II. by GEORGE B. EMERSON, A. M., of Massachusetts. New York: Harper & Brothers. 1842. 12mo. pp. 552.

THIS book owes its existence to the judicious liberality of Mr. James Wadsworth, of Geneseo, in the State of New York, a gentleman of ample fortune and enlightened benevolence, whom age has not made insensible to the claims of the young, and wealth has not steeled against the wants of the poor. He has directed a copy of it to be placed in each of the school districts, incorporated academies and county clerks' offices of the State of New York, as well as in the hands of the governors of the several States, and of the deputy superintendents of common schools in the several counties of the State of New York. More than eleven thousand copies have thus been distributed. An edition of thirty-five hundred copies has also been struck off in Boston, at the expense of Mr. Martin

Brimmer, of that city, for distribution among the public schools and school committees of Massachusetts. We record these generous benefactions with peculiar pleasure. The gratuitous circulation of good books is one of the best means of employing superfluous wealth. It is a form of bounty which is twice blest ; “ blessing him that gives, and him that takes.” It is accompanied by none of those perplexing doubts as to the ultimate good to be accomplished by the benefaction, which so often attend the giving of money. These gentlemen may have the unalloyed satisfaction of reflecting that every teacher, into whose hands this book falls, will be benefited thereby ; will be aided, instructed, and encouraged ; will labor with renewed zeal and ampler knowledge.

We receive this book with pleasure, not only on account of its own merits, but as a proof of the growing interest which the subject of education is awakening in New York and Massachusetts, two States which always have exerted, and always will exert, a great influence upon the whole country, and whose example is a very powerful one, both for good and for evil. We hail it as a proof that the education of the young is attracting, more and more, the attention of wise, thoughtful, and well-instructed men. In a country like ours, politics will ever constitute the engrossing subject of interest to its leading minds ; and of this we have no right to complain, so long as it does not form the exclusive one. But the claims of education are so sacred, and those of literature so important, that we cannot view with composure the prospect of having them set aside or intrusted to inferior hands, and we greet with satisfaction the appearance of every superior mind that turns aside from the career which is more dazzling and exciting, and seeks its satisfaction in a more quiet, but not less useful sphere. We cannot forbear in this connexion to speak of the great impulse given to the cause of education by Mr. Horace Mann, the Secretary of the Board of Education in the State of Massachusetts. His valuable reports, his lectures and discourses, the journal conducted by him, and his personal influence, are all contributing to the production of results most striking in their extent, and most gratifying in their character. The effects of his labors are visible in a degree to convince the most skeptical, and to attract the attention

of the most heedless. The fields are white with the harvest of his own sowing. Mr. Mann is now in Europe for the two-fold purpose of reëstablishing his health, and gaining new views and fresh impulses upon that subject to which his life is devoted; and every patriotic heart will follow him with good wishes, and the prayer that in both respects his visit may be a successful one.

The First Part of the work now before us is written by Dr. Potter, of Schenectady College. It is divided into two chapters. The first chapter treats of the nature and object of education in its most comprehensive sense, including intellectual, moral, æsthetical, and physical education; of various prevalent errors in regard to education, of the education needed by the American people, and of the importance of education, first, to the individual, and secondly, to society. The second chapter treats of the relation of common schools to other means of education, of their present condition, and of the means by which they may be improved. These subjects are all discussed with ability and knowledge. The style is weighty, scholarlike, and impressive, frequently rising into eloquence, and uniformly vigorous. The fruit and results of a very extensive course of reading are brought naturally to bear upon the subject, in the way of allusion and illustration. The tone of sentiment is just and elevated, the highest motives being addressed, and that standard of thought and feeling held up for imitation, by observing which, individuals cannot fail to become wise and happy, and nations prosperous and great. The first chapter is chiefly valuable for the motives it suggests and the impulse it gives. No person can read it without feeling a renewed interest in the subject of education, and entertaining a vivid sense of what is yet to be done to elevate and extend it. The second chapter has a more direct and practical value, as it points out defects and suggests remedies, embodying the results of much careful observation and patient thought. We quote a few paragraphs from Dr. Potter's remarks on the cultivation of the taste.

“The state of our country, and the character of the age, call loudly *for a more elegant and humanizing culture*. In the habits of a people, few things have a more important influence, for good or evil, than the use they make of leisure. Some relief from labor men must have; something to vary the monotony of

life, and restore the mind to a sense of its elasticity. If this relief be not afforded by innocent and improving recreations, it will be sought for in sensual indulgence. In our country it is peculiarly so. The ardor, with which men engage here in business, they carry to their pleasures; and, in the absence of higher sources of exhilaration, they rush to the gaming-table, and, above all, to the intoxicating cup. The contrast, in this respect, between our people, and those of countries in which the fine arts are generally cultivated, is most striking and instructive. Take Germany, for example. There, the people have access to ardent spirits as well as wine; moral restraints are not more powerful than with us; and yet, in many provinces, drunkenness is almost unknown. It will not be easy to find an explanation for this fact, except in the prevalence, throughout the same provinces, of a taste for music and other arts; a taste which has been developed by culture, and in which all the people, from the highest to the lowest, find an inexhaustible resource. Efforts to avert the progress of intemperance are doubtless most necessary and important, and they are eminently worthy of encouragement; but, to be permanently useful, they should be coupled with measures to supply, from higher and purer sources, the exhilaration which men, when at leisure, always require. If the mind of the reclaimed drunkard be left to brood over vacancy, we must not be surprised that he returns to his cups; nor must we wonder that so many, who are now forming habits of indulgence, decline surrendering their pleasures when they are offered no substitute. In order to effect a lasting change in the habits of the people, we must raise and purify their tastes. Hence the importance of libraries, of associations for mutual improvement, and of every institution which proposes the diffusion of knowledge.

“The fine arts, however, have one advantage which can hardly be claimed for books. As things now stand, each one reads such book as gratifies his own taste, or as may be thrown in his way by chance, or by the design of others. The consequence is, that the reading of many men only contributes to strengthen their lower propensities. This can hardly be the case with the fine arts. Their productions are more limited in their range, and are exposed to more general scrutiny. Among a people, too, who have such notions of decorum as prevail with us, these arts can hardly venture to appeal, openly and directly, to our worst passions.

“There is another benefit to be anticipated in our country from the cultivation of a taste for the arts, to which I will advert in this connexion. Foreign travellers have complained of the

American people, that they rarely have leisure, and that, when they have, they know not how to enjoy it. There is some truth in the remark. We are eminently a working people. Part of this industry results, no doubt, from our condition, and from the powerful incitements to enterprise, afforded by a young and prosperous country. Part of it, however, seems to result from impatience of rest. Not a few of the rash adventures and ruinous speculations, by which we have distinguished ourselves of late, had their origin in a love of excitement, and in our aversion to being without employment. A partial remedy for this evil might be found by diffusing a taste for the elegant and ornamental arts. These arts would furnish that moderate and agreeable excitement which is so desirable in the intervals of labor. They would tranquillize, in some degree, the minds which have been agitated by business, and would dispose them to seek more frequent relief from its cares, and to plunge with less haste into new, hazardous, and anxious undertakings. They would teach us all, that there is a time for rest and refreshment as well as for exertion; and that the one may conduce as well as the other, not only to our enjoyment and dignity, but also to our permanent prosperity in business." — pp. 73-76.

The second part is written by Mr. George B. Emerson, of Boston, well known as the able and accomplished teacher of a school for young ladies, and whose valuable instructions, continued as they now have been for many years, are sensibly felt in the high intellectual cultivation and elevated tone of mind which, we flatter ourselves, characterize the female society of our city. This is a practical treatise on the duties, responsibilities, and compensations of the teacher; it treats of the mental, moral, and physical qualities necessary to make a good teacher, of the various branches of knowledge with which he must be familiar and which he must be prepared to teach, of the best methods by which that knowledge may be communicated to others, of rules for the discipline, management, and government of the school, and of the construction, &c., of the school-house. It is a very valuable contribution to the cause of education, containing, as it does, on every page, the results of the experience of more than twenty years spent in most successful instruction. To the young teacher it must prove of most essential service. It abounds with excellent hints and suggestions, not easily found anywhere else. The following extract will

show the admirable tone in which it is written, and its earnest simplicity of style.

“The greatest defect in the American character, in reference to others, seems to be the want of respect for superiors. This leads to ill manners of every kind; for children ought rather to regard all as their superiors, and to be taught to respect them; and such, doubtless, is the spirit of the morality of the Gospel. Every teacher may do much to inculcate a right feeling in children towards their superiors, and a simple and modest habit of expressing it. There is no difficulty in the matter, except the proneness among teachers to consider it as something not belonging to them. But it is the duty of a teacher to do what he can for the benefit of his pupils in every respect, in manners as well as morals. They are intimately connected. Good manners are merely the outward expression of good feelings and good morals, and there must be some great defect in the latter when there is so much that is wrong in the former. The real defect at bottom is inordinate conceit and want of modesty. Much may be done towards correcting this by the example and instructions of a teacher who is himself modest. He should inculcate obedience to parents, and respect for the aged and for the stranger.

“Submission to the *authority of Law*. In no part of the world is this so important as in these United States. Ours is a government of laws. All our people should therefore be accustomed, from their earliest years, to submit to the authority of law; to submit, not by compulsion, but voluntarily. This is one strong reason why authority should be established, and laws strictly observed, in every school. In this respect, school *must be* a preparation for the society of the world. It should be the object of the instructor, in his system of government, to form the habit of obeying the law because it is just law, and because it is for the common good. Such reasoning as the following may be employed: You see that, if every boy in school be allowed to leave his seat, speak, or whisper, whenever he pleases, it will be impossible for any one to study. The purpose for which you came here will be defeated, and school will be of no use. Order and quiet must therefore prevail; and that they may, and that all may enjoy the great advantages which follow from them, each one must consent to give up a portion of his liberty. He will gain much more by it than he loses. He only gives up the privilege of making a noise when he ought to be quiet, and, in exchange, he gains the privilege of not being interrupted by every one of forty others when they please to interrupt him.

"A more fundamental principle to be inculcated is *love of Truth*, and the habit of respecting it. Children should be taught, as early as possible, to feel how mean, base, loathsome, cowardly, and wicked a thing falsehood is, and how noble, generous, and glorious it is always to tell the truth. Nothing is so important to the future character of a child as that he should have the right feeling, and, built upon the feeling, and growing out of it, the right habit in regard to truth and falsehood. The first requisite is, that the teacher should himself have an abhorrence of falsehood. This must be modified only by his compassion for the weakness of childhood, so that he may be able to pardon even a lie. Children are made liars by the examples set them from their earliest days. They are coaxed by falsehood, by what are called white lies, to get up and go to bed, to go to play and to give up their playthings, to give up food and to take medicine. They are even coaxed by falsehood into being good! They should never be deceived. No matter whether the thing in question be of small or of great consequence, they should never be deceived. A promise made to a child, like every other promise, should always be religiously kept. There is no such a thing as a white lie. Every deception is a lie, and, if practised upon a child, injures and tends to destroy his moral sense. Such a deception is a lie of the blackest hue.

"Another way in which children are made liars is by being allowed, and even encouraged, by the example of others, to use exaggeration, to speak in extravagant language. This should be checked whenever the occasion occurs, and the falseness and dangerous tendency of it pointed out. Persons of little conscientiousness will be likely to think such practices of slight consequence. But, in forming the conscience of a child, they are of very great; and the susceptible conscience of most children may be easily led so to regard them." — pp. 352 – 354.

There is one excellence common to both parts of this work, and not always found even in good books; and that is, the entirely self-forgetting spirit in which it is written. Dr. Potter and Mr. Emerson have, evidently, never thought of the literary success of their contributions. Their purpose has been to make a useful book; to help the great cause of education, and not to display their own attainments or abilities. This moral element gives it a peculiar value, and enhances all those merits of sound thought and good style which belong to it throughout.

- ART. VII. — 1. *Die Erdkunde im Verhältniss zur Natur und zur Geschichte des Menschen. 9ter Theil, 3tes Buch. West-Asien. Von CARL RITTER. Berlin: 1840. pp. xx, 1048. (Geography in its relation to Nature and to the History of Man. Part IX. Book 3. Western Asia. By CARL RITTER.)*
2. *A Residence of Eight Years in Persia among the Nestorian Christians; with Notices of the Muhammedans. By Rev. JUSTIN PERKINS. With a Map and 27 Plates. Andover: Allen, Morrill, and Wardwell. 1843. 8vo. pp. xviii, 512.*

WHEN the ten thousand Greeks, after the battle of Cunaxa and the death of the younger Cyrus, set out upon their retreat, which has been rendered so famous by the pen of Xenophon, they marched for several days northward through the plain that skirts the eastern bank of the Tigris. Having advanced some distance to the north of the site of ancient Nineveh, over against the modern Mosul, and being harassed by the constant attacks of the Persian cavalry, which followed them with restless vigor, the Greeks suddenly quitted the plain country, and turning eastward ascended the Karduchian mountains, among which they pursued their course northward towards the Euxine sea. Here they were secure from the further attacks of the Persian cavalry, and found themselves among tribes of independent mountaineers, — first the Karduchians, who manifested a hostile disposition, and then the Chaldæans and others, with whom they made a league.*

These same mountains, at the present day, constitute the almost inaccessible region of northern Kurdistân, lying between the plains of the Tigris on the west and those of Armenia on the east. They are inhabited chiefly by the rude and warlike Kurds (pronounced *Koords*), in whose independent and lawless character it is not difficult to recognize the same traits which of old distinguished the Karduchi and Chaldæans of Xenophon. These, and the close resemblance of the names, leave little room to doubt as to the

* Xenoph. *Anab.* lib. III. c. 4. Rennel's *Illustrations of the History of the Expedition of Cyrus*, Lond. 1816.

identity of the modern Kurds with those ancient tribes. The Kurds are wild and fierce barbarians, given to war and plunder ; they delight in horses, and are fearless, but unskilful, riders. There is little stretch of imagination requisite, to suppose that the prophet Habakkuk had the same national characteristics in view, when describing the ancient Chaldeans of Mesopotamia, who apparently derived their origin from the same mountains.

“ For lo, I raise up the Chaldeans,
A bitter and hasty nation,
Marching through the breadth of the earth
To possess dwellings not their own.
Fearful and terrible are they ;
Their statutes and decrees go forth only from themselves.
Swifter than leopards are their horses,
And fiercer than the evening wolves.
Their horsemen prance proudly ;
Their horsemen come from far, they fly,
As the eagle pounceth upon his prey.
They come forth all for violence ;
The host of their faces is forward !
They gather captives as the sand.
And they scoff at kings,
And princes are a scorn unto them.
They laugh at every strong-hold,
They cast up mounds and take it.” — Hab. i. 6–10.

It is only within the few last years that these Kurdish mountains have been penetrated by the enterprise of modern travellers. It has been known, indeed, since the days of the indefatigable Niebuhr, that a portion of them is inhabited by a remnant of the ancient Nestorian branch of the great Syrian church ; but the reputation of these Christians, surrounded as they are by warlike and blood-thirsty tribes, has been little better than that of their neighbours ; and has aided to shut up the country from the approach of Europeans. It was the missionary spirit of the present age, that first sought out these secluded followers of the Christian name in their mountain fastnesses ; and, in so doing, first enabled the eye of science to penetrate into the recesses of this land of deep valleys, rushing streams, and rugged mountains. This was the result of American enterprise. Dr. Grant first entered and passed through the country from west to east, in 1839 ;

made a second visit to it in 1840 ; and in 1841 returned to take up his permanent abode among the Nestorians of that region as a missionary and physician. In 1840, also, the same region was visited by Mr. Ainsworth, the active agent of the Royal Geographical Society of London.*

From the reports of Dr. Grant and Mr. Ainsworth, it appears that the mountainous tract, in the centre of which the Nestorians dwell, is, on a rough estimate, nearly quadrangular, and about equidistant from the lakes of Van and Oroomiah on the north and east, and from the Tigris on the west. The highest mountains apparently are in the eastern part, and especially in the northeast ; rising to the height of ten or eleven thousand feet above the sea ; while the average elevation of the region of table-land around them is between six and seven thousand feet. In the same quarters are the sources of the larger and longer streams flowing to the Tigris ; while those descending to the lake of Oroomiah on the east are smaller and shorter. To the Tigris run two main streams, cleaving the high mountain region to its base, and finding their way along the bottoms of the deep chasm thus formed. The chief of these is the Great Zâb (Zabatus of Xenophon) ; which, with its wide lateral valleys and streams, drains all that part of the country seen by Dr. Grant and Mr. Ainsworth. North of this, rising northwest of Jûlamerk, is the Khabûr, a stream of the same character, but with a shorter course, running southwest to the Tigris below Jezireh. The inquiries of Dr. Grant afford the first correct information as to this stream, which is wrongly laid down on all previous maps.†

The uplands of this region, it seems, when one leaves the valleys and ravines of the streams, consist of a species of table-land, on which much pasture grows in summer. The villages and permanent dwellings of the inhabitants are all in the valleys and near the streams, and are built of stone ; but in summer they drive their flocks to the *Zozan*, or pastures above, and dwell there for a season in tents ; not very unlike the peasants among the Alpine regions of Switzerland.

* See Dr. Grant's work, *The Nestorians*, New York, 1842. The Report of Mr. Ainsworth is found in the Journal of the Royal Geographical Society of London. Vol. XI. P. I. p. 21. Lond. 1841.

† Another river Khabûr descends from the mountains in the north of Mesopotamia, and enters the Euphrates at Circesium. This latter is the *Chaboras* of the Greeks, and the *Chebar* and *Habor* of the Hebrews.

The Nestorians of these fastnesses everywhere appear like other independent mountaineers, rude, fierce, and indomitable, yet kind-hearted and hospitable, with many peculiar virtues and customs arising out of their seclusion from the world and the pressure of external foes. No one, we think, who reads the reports of their manners, and customs, and character, can fail to be struck with their close resemblance to other Christian tribes in like circumstances; particularly the Maronites of Mount Lebanon, the Mainotes of Greece, and the Montenegrians of the Illyrian coast. Like the latter people, they have their own patriarch, to whom alone they owe allegiance, and who is both the spiritual and temporal head of the nation. And, like all these rude tribes, they have the custom of blood-revenge, which, when a person is slain, requires the next of kin to slay the murderer without mercy. The prevalence of this ancient custom among these wild tribes bearing the Christian name, and also among the Druzes of Lebanon, the Bedawîn of Mount Sinai and the deserts, as well as in other heathen nations, seems to be a manifestation of an instinctive law implanted by the Creator in the human breast, and made known also in his word; "Whoso sheddeth man's blood, by man shall his blood be shed." In the absence of regular government and of all public penal justice, this law shows itself among rude nations written on the heart, and devolving for its execution upon those most interested in its maintenance.

But besides these independent Nestorians of the mountains, who thus acknowledge no authority even in temporal matters, save that of their own patriarch, and who bear among their neighbours the proud title of *Ashiret*, "the tributeless," a large body of the same race are found in the plains and region on the west of the mountains, in the vicinity of Mosul, where they are subject to the Turks. These, however, for the most part, more than a century ago gave in their adhesion to the Pope of Rome; and their patriarch, still residing at el-Kôsh, acknowledges his supremacy. The Pope bestowed upon them, in return, the venerable, but unmeaning, title of Chaldeans, which they now claim; although they were and are truly nothing more than papal Nestorians, or Nestorian Catholics. Niebuhr fell in with them; and gave to European scholars the first intimation that the Syriac

was yet a living and spoken language. His account, however, was little heeded.*

On the other side of the mountains, too, the Nestorians have descended towards the east ; and occupy, in part, the fertile plain which stretches between the mountain-barrier and the lake of Oroomiah. These have long been subject to the Persian government ; and although they acknowledge the authority of the patriarch of the mountains in spiritual matters, yet they have little intercourse with him ; inasmuch as prudential motives prevent him from entering the Persian territory, and them from often visiting the mountains. Their spirit of independence has long been broken ; and they bear submissively, like other *rayahs*, the frequent caprice and cruelty of their Muhammedan masters.

Of the works named at the head of this article, the first is the latest volume of the great work of the celebrated Ritter, on *Comparative Geography*, or Geography in its relations to nature and to the history of man. The preparation of this work is one of those colossal enterprises, for which the period allotted to the days of one man is not sufficient. The excellent author, than whom no man living enjoys to a wider extent the respect and affection of his contemporaries, has devoted to it the best energies and years of a life already far advanced beyond the middle point ; and the work is still remote from its completion, even in respect to the Old World. The first edition, published in 1817-18, comprised Africa and part of Asia, in two volumes. A second edition of the part on Africa, greatly enlarged, appeared in 1822, as an independent work ; but has already been for many years out of print. Eastern Asia has also been completed in a second edition in five parts ; and the volume before us is the third upon Western Asia. A fourth, understood to be nearly or quite ready, is yet to appear, comprising Syria and Asia Minor. The plan of the author then leads him to Europe ; the greater part of which region he has himself visited in person, in reference to this very work, excepting only, indeed, the Spanish peninsula, Russia, and perhaps Poland.

It has long been matter of regret to the friends of Ritter's fame, that he should thus have expended his earliest and best

* *Reisebeschreibung*. II. p. 352. Comp. Hoffmann : *Gramm. Syr.* p. 34 *et seq.*

energies upon just those portions of the world where the progress of modern discovery has been most extensive and rapid ; so much so, indeed, as often to change, in the course of a few years, the whole character of the descriptive geography of large regions. Thus his *Africa*, having been last published in 1822, embraces none of the information brought to light by the more recent and highly important exploring expeditions ; and, therefore, can be in no degree satisfactory to a person seeking to acquaint himself with the present state of knowledge, as to either the physical, or civil and moral features of that continent. The same is true to a certain extent, already, of the volumes on *Asia* ; and will be more strikingly so ten years hence. The portals of this ancient cradle of our race, from the Bosphorus on the west, to China on the east, are with every year thrown open more and more widely ; and its interior recesses, becoming more accessible, are already developing their unknown or long forgotten features to the scientific gaze of multitudes of travellers. It is this very profusion and prodigality of ever new materials, superseding his former labors or demanding their revision and enlargement, that has so long kept Ritter back from entering upon the description of Europe. There, at least, every thing has been thoroughly explored ; no new regions, nor mountains, nor rivers, nor nations, remain to be discovered ; and although empires and kingdoms may rise and fall, and the land-marks of nations be changed or annihilated, yet the great physical features of nature will remain as they now are known, and the characters of the races inhabiting the various regions are too fixed to permit any sudden moral revolution. A work on Europe on the plan of Ritter, carrying out his general principles and embodying the results of his own long continued personal observation, would possess a permanency of value to which the previous volumes can never attain ; and would remain a store-house and standard for future generations. May his days be spared to complete it !
Serus in cælum redeas !

The volume before us comprises a synopsis of all the information extant, as to the regions inhabited by the Nestorians, up to the time of its publication in 1840. In the additions at the close, also, notice is taken of the letter of Dr. Grant, describing his own journey through the mountains, read before the London Geographical Society, in April of

that same year. We subjoin here a brief view of the previous visits made, or attempted, to those regions, and of the sources of information hitherto possessed.

The earliest accounts of modern times date back not so far as the middle of the last century, and were gathered on the western side of the mountains. Those first given to the public were from the accurate Niebuhr, who was at Mosul in March, 1766, and collected information in respect to several of the districts in this unknown tract; the general correctness of which subsequent inquiry has only tended to confirm.* During the same *decennium*, Romish missionaries had established themselves among the Kurds on the western quarter, where they continued to labor for many years. Pater Leopold Soldini went thither in 1760, and died in 1779, at Zakhu, situated, according to Dr. Grant, on an island in the Khabûr, not far above its entrance into the Tigris. He was followed, in 1764, by Pater Maurizio Garzoni, who fixed himself at Amâdieh, near the river Zâb, where he remained for eighteen years, devoting himself to missionary labors among the Kurds, and to the study of their language; of which he prepared a grammar, afterwards published at Rome. The preface to this work contains information respecting the various Kurdish tribes, and also scanty notices of the mountain Christians, whom the good Pater describes as sunk in every species of vice and crime.†

The next accounts are from the present century, and within our own recollections. In 1820, the enterprising Mr. Rich, during his visit to southern Kurdistân and the region of Mosul, was able to collect valuable information respecting the mountains; and has given drawings of a Nestorian man and woman from that region, in their native costume. He received also from the lips of a Tartar courier, who had once passed through the mountains, an account of his route by way of Amâdieh and Jûlamerk to the Lake of Van, coinciding very nearly with that subsequently pursued by Dr. Grant. This enterprise of the Tartar was con-

* Niebuhr: *Reisebeschreibung*. Bd. II. p. 332.

† P. M. Garzoni: *Grammatica e Vocabulario della Lingua Kurda*. Roma, 1787. On the basis of this Grammar and a few manuscripts, Professors Roediger and Pott of Halle have published a series of articles on the Kurdish language, entitled *Kurdische Studien*, in the *Zeitschrift für die Kunde des Morgenlandes*, Bd. III. IV. See also Ritter's *Erdkunde*, IX. p. 656. The Kurdish language belongs to the Persian family, and has many dialects.

sidered by the Orientals as one of very great hazard, and the man himself was not a little proud of having achieved it. He described the mountaineers as wilder than any tribes among the Kurds and Arabs ; and regarded it as a matter of wonder, that they should have suffered him to enter their land without being murdered, and still more to pass through it without being robbed.*

The subsequent accounts come to us from the eastern side of the mountains ; from which quarter the later attempts to penetrate the country have mostly been made. In 1829, Schulz, the intrepid Oriental traveller, who visited the east under the commission of the Paris Academy, was treacherously assassinated in the vicinity of Bash Kalleh, and the report of this murder, which rung through Europe, magnified still more the horrors of robbery and bloodshed already connected with the reputation of these mountains, and served to confirm the stories of their wild and inaccessible character. Having spent eight months at Tabriz, pursuing the study of the Turkish, Persian, and Kurdish languages, Schulz passed around the south side of the Lake of Oroomiah to that city, and, entering the mountains, reached Jûlamerk without hinderance ; though by what route is not known. He is reported also to have visited the Nestorian patriarch, then residing at Kochannes, a few hours north of Jûlamerk.† The principal Kurdish chief, whose capital is Jûlamerk, but whose frequent residence is at Bash Kalleh, received him hospitably, and gave him an escort to accompany him to that castle and so back to Persia. But whether Schulz was regarded as an agent of the Persian government sent to spy out the character and strength of the land, or as himself possessing wealth enough to excite the cupidity of the chieftain and his followers, the escort, it seems, received secret orders to put him to death. On the way he was allured into a nook of the mountains, under the pretext of pointing out to him antiquities, and there shot through the back, while his companions were cut down. His baggage had been permitted to proceed meantime to Bash Kal-

* C. J. Rich: *Narrative of a Residence in Kurdistan*, Vol. I. pp. 275-280. Lond. 1836. Ritter's *Erdkunde*, IX. pp. 641, 659-663.

† Smith and Dwight, II. 253. The patriarch now resides at Diz, a village about twenty miles east of Jûlamerk, in the Hakkury district, on the other side of the Zâb. Grant's *Nestorians*, p. 99. Perkins, p. 18.

leh, where his servant and two Persian officers were in like manner despatched. Seven or eight persons in all were thus murdered. This bloody and cowardly deed took place in November, 1829.

Some Armenians, who were compelled to bury the bodies, gave the information to their priests living near the Persian frontier; and by them it was transmitted to Tabriz. The Persian crown-prince, Abbas Mirza, immediately sent a threatening message to the Khan of the Kurds; who caused the horses and a portion of the effects of the murdered party to be delivered up. Among these were the journal and some other papers of Schulz, extending, however, only to Oroomiah. These have since reached Paris, and are understood to be in the hands of Julius Mohl, the celebrated Orientalist, for publication. The facts respecting the death of Schulz were afterwards collected by Major Willock, then British resident at Tabriz, and first published in 1834.*

Dr. Grant passed near the place where Schulz was murdered, "in the valley of a small creek." An Armenian, the father of those who aided in the interment of the bodies, informed him that a small heap of stones marks the spot. In consequence of the requisition from Persia, the immediate agent in the murder was put to death by those who had instigated him to the deed. Had this man been alive, Dr. Grant supposes his own safety would have been doubtful. The desire of plunder was sometimes assigned as the motive of the murder; but intelligent Armenians and Nestorians related to Dr. Grant, that Schulz had just made a visit to the orpiment mines, and that the Kurds believed the yellow mineral to be gold, and that he would cause an army to come and take possession of their country. This impression was strengthened by the circumstance, that he was seen making scientific observations, measuring their castles, and writing down his notes.† The famous chieftain Nûrûlah Bey, who furnished the escort to Schulz, and treacherously ordered his death, was visited by Dr. Grant in his castle at Bash Kalleh; where, as we are happy to be in-

* In the Journal of the London Geographical Society, Vol. IV. pp. 134-137. Lond. 1834. Ritter's *Erdkunde*, IX. p. 649, *et seq.*

† Grant's *Nestorians*, pp. 123, 124.

formed, the Doctor was able, by the power of medicine, and particularly by the force of an emetic, to convert him into a staunch friend and protector.*

In February, 1832, Col. Monteith, who was then occupied in exploring the adjacent portions of Persia, made an unsuccessful attempt to penetrate the mountains. He was everywhere met by the Kurds with repulses and treachery; and desisted from his enterprise only after being twice attacked by hostile parties. He was able, however, to collect valuable information as to the topography of the region and the character of its inhabitants, especially the Nestorians; and made the acquaintance of Mar Shimon, the predecessor of the present patriarch of that name, on a visit to Persia, where he was detained, and afterwards died. This information is embodied in the map and memoir of Col. Monteith, published by the Royal Geographical Society of London.†

In July, 1836, Col. Shiel, also, was desirous to pass by the direct route from Oroomiah to Mosul by way of Jûlamerk, and gathered information as to the country with that view. But the character of the mountaineers, "the free and brave Chaldeans"‡ of antiquity, was pictured to him in such terrific colors, and the difficulties of the route so magnified, that he was led to give up the attempt, and take the longer way through Van and Bitlis.§

But before this time, and also before the murder of Schulz, the Rev. Dr. Walsh, chaplain of the British embassy at Constantinople, had collected some accounts respecting the Nestorians, from a person he met at Pera, whom he calls the "Bishop of the Chaldeans," but of whom we learn nothing further. His information relates more to the modern Chaldeans; but includes also notices of the mountains, and of the Nestorians and their patriarch. These accounts were published; and incidentally have had an important bearing both upon our acquaintance with the

* Grant's *Nestorians*, p. 109, *et seq.*

† Journal of the R. Geogr. Soc. of Lond. Vol. III. pp. 51–54. Lond. 1833. Map: Parts of Georgia, Armenia, Azerbaijan, etc., from Trigonometrical Surveys, 1814–1828; engraved at the expense of the R. Geogr. Soc. Lond. 1833. See Ritter's *Erdkunde*, IX. pp. 641, *et seq.*, 664, *et seq.*

‡ Xen. *Anab.* IV. 3. Οἱ Χαλδαῖοι ἰλιούσι τοὶ τε καὶ ἄλλοι.

§ Lieut. Col Shiel: *Notes on a Journey from Tabriz through Kurdistan*, etc., in Journal of the R. Geogr. Soc. of Lond. Vol. VIII. p. 54. Lond. 1838.

Nestorians, and upon the intellectual and moral prospects of that remarkable people.*

A slight paragraph, comprising the substance of Dr. Walsh's statements, went the rounds of the American newspapers ; and thus met, as we have been informed, the eye of one of the secretaries of the American Board of Commissioners for Foreign Missions, established at Boston. This led to further inquiry ; and the notices of Dr. Walsh were obtained and reprinted.† The Board, at that time, were prosecuting inquiries throughout the greater part of Egypt, Syria, Asia Minor, and Greece ; and soon concluded to extend them farther east, to the Armenian and Georgian churches ; to which were now to be added the Nestorians and modern Chaldeans. As their agent for these important researches, they selected the Rev. Eli Smith, who had been several years a missionary in the East, and has since become still more widely known by his residence and travels in the Holy Land ; and also the Rev. H. G. O. Dwight, now the well-known missionary to the Armenians in Constantinople. The letter of instructions to these gentlemen was dated January 19th, 1830 ; and, after enumerating several of the main topics to which they were to direct their inquiries, it contained the following passage : " Another company of wandering shepherds will present themselves to your attention in Kurdistân, southward of Armenia. A hundred thousand of the Kurds are said to be Nestorians, subject to hereditary patriarchs. So large a body of nominal Christians deserve a visit to the residence of at least one of their spiritual heads. You will be the more inclined to such a visit, as it is in that part of Asia we are to look for the numerous and independent sect of Christians, called Chaldeans, of whom Dr. Walsh published an interesting account some years since. His account, as it was not founded on personal observation, needs such a confirmation as you may possibly be able to furnish." ‡

The results of the journey did not, indeed, confirm the anticipations on which the above paragraph was founded ;

* Notices by Dr. Walsh in the *Literary Gazette*. Also in the *Bibliothèque Universelle*, Genève, 1826. Literat. T. xxxi. pp. 395 - 400. Ritter's *Erdkunde*, IX. p. 666.

† In the *Missionary Herald* for 1826, p. 120.

‡ *Missionary Herald* for 1830, p. 75.

but they did far greater service to the cause of truth, by bringing out the facts of the case ; and also to the Nestorian people themselves, by enabling the Board to act understandingly in their behalf, and take efficient measures for elevating them in the scale of intellectual, as well as moral, cultivation.

Messrs. Smith and Dwight left Constantinople in May, 1830 ; and travelled by land through Asia Minor, by way of Tokat, to Erzeroom, a distance of about seven hundred and eighty miles, which they then accomplished with a Tartar in twenty-three days, including a stop of two days at Tokat. *Now* a noble steamer takes the traveller in sixty hours across the Black Sea to Trebizond ; from which place to Erzeroom is a distance of about two hundred and twenty miles. This latter journey Smith and Dwight, on their return, accomplished in six days, and Mr. Perkins, with his family, in eight. They passed the summer and autumn in Armenia and Georgia, chiefly at the larger towns, as Tiflis and Shusha, visiting also Nakchevân, Erivan, and the great Armenian convent twelve miles from the latter city, near the northern base of Mount Ararat ; from which, indeed, Professor Parrot afterwards ascended that mountain.* Early in December, they repaired to Tabriz, where they passed the winter, partly in consequence of the illness of Mr. Smith ; and where the only information they could obtain as to the Nestorians was, that a considerable body of them were accessible in the provinces of Salmas and Oroomiah. They determined to visit them ; and for this purpose left Tabriz on the 4th of March, 1831.

The Lake of Oroomiah is surrounded by plains ; and these are shut in by lofty mountains, lying usually at some distance from the shore. On the western side, spurs from the Kurdish mountains run down in two places quite to the lake, forming promontories in it, and dividing the great plain into three ; composing the districts of Salmas on the north, Oroomiah in the middle, and Sûlduz on the south. The route of the travellers from Tabriz was around the northern end of the lake to Dilman, the capital of the district of Salmas. At Khosrova, a village about two miles distant, they first came in contact with the Chaldeans, or

* See *Reise zum Ararat, von Dr. Friederich Parrot*, Berlin, 1834.

papal Nestorians ; that village being the residence of the bishop of all those of this name on the east of the Kurdish mountains. An old man with a long Kurdish cap, green turban, and ragged sheepskin pelisse, came out to welcome them. It was the bishop of this wide diocese ; but, being too poor himself to lodge them, he referred them to his priest for a room.

These two ecclesiastics, bishop and priest, living here not in dignity, but in squalid poverty and filth, furnish a striking example of the powerful means and influence which the Romish Church employs to spread her nets throughout the East, and lead captive unenlightened nations at her will. The bishop had been educated at Rome, and, having lived some time at Aleppo, Bagdad, and Mosul, spoke both Italian and Arabic with considerable fluency. The priest, too, though a native of the village, had been twelve years in the college of the Propaganda at Rome, and spoke Italian with ease. He had also sent two young men of the village to Rome for education ; and these were now about to return. The whole population of the village, about one hundred and fifty families, were Chaldeans ; and about one hundred other families were scattered through the district. In the adjacent province of Oroomiah, there were about two hundred families of the same sect. These were the whole of the Bishop's flock, on the east of the mountains.

But the good Bishop had, at that time, a "thorn in the flesh," in the shape of a rival or irregular bishop, who, at first, had crept into the fold without license from the Pope ; had been, therefore, excommunicated ; but, by lining well the pockets of the Pope's vicar at Bagdad, had obtained a favorable representation of his case at Rome ; and was permitted to retain the rank of sub-bishop in this diocese. "And here he has been," said the Bishop, "for many, many years ; and as often as I have said *white*, he has invariably said *black*."— There had, also, been another papal bishop in the region, by the name of Shevris, a native of Sert, without a diocese, whom Mr. Perkins describes as a Jesuit missionary. He, too, had resided twelve years in Rome, and had in some way become connected with the British and Foreign Bible Society, by which he was employed to translate the New Testament into the Kurdish language. But he wrought as a hireling, and his translation

proved worthless. He is said to have died of the plague at Tabriz, in the year 1830. We have not at hand the means of verifying the fact; but we suppose this man to have been the same "bishop of the Chaldeans" from whom Dr. Walsh gathered his information as above related; and also the same by whom Mr. Leeves, the active agent of the British and Foreign Bible Society in the East, sent Bibles, in 1824, from Constantinople, for distribution in Tabriz and the vicinity, and whom he commissioned to procure a Kurdish translation of the New Testament to be made. The Bishop preferred, it would seem, to undertake it himself, at Oroomiah, with the help of an intelligent Kurd, Molla Muhammed, of the Hakkary district; making the Arabic Gospels the basis of the new version. The translation of the Gospels, such as it is, was completed; but no Kurd has yet been found who could understand it. The Society is said to have a copy in London; and other copies were sent for examination to the German missionaries, Hörnle and others, at Shoosha, who had occupied themselves with the Kurdish people and language. Roediger and Pott, in preparing their "Kurdish Studies," were unable to get sight of the manuscript.*

After visiting the ancient town of Salmas, now only a large village two miles distant from Khosrova, Messrs. Smith and Dwight crossed the spur of the mountains running down to the lake, which separates the districts of Salmas and Oroomiah; and found themselves among the Nestorian villages in the northern part of the latter. They stopped at Jamalava, then the temporary abode of a bishop, whose proper residence was at the neighbouring village of Gavalan.† He was absent at the moment; but a priest received them hospitably, and gave them the choice of a room in his house, or a stable. They chose the latter; and it was soon filled with friendly Nestorians, eager to see and converse with them. They found here also an excellent interpreter, a native of Mardin, and nephew of the Bishop Shevris

* *Report of the British and Foreign Bible Society* for 1825, App. p. 62; *Id.* for 1827, p. xlv., App. pp. 58, 75; *Id.* for 1830, p. lx.; *Id.* for 1836, p. xlvii.; *Baseler Magazin*, 1830, No. III. p. 492; Roediger in *Zeitschr. für die Kunde des Morgenl.* III. p. 15; Smith and Dwight's *Researches*, II. p. 189; Perkins' *Residence*, etc., p. 350.

† Perkins' *Residence*, p. 172.

above mentioned. He spoke Arabic fluently ; the language of the Nestorians was his mother tongue ; and all parties, too, were more or less acquainted with the Turkish. The bishop, who proved to be the son of the priest, soon returned and welcomed the strangers ; and the two days spent by them at Jamalava more than realized the pleasure they had anticipated from visiting the Nestorians. "The friendliness, simplicity, and unreserved frankness of the bishop and his flock," says Mr. Smith, "and the amount of information he patiently allowed us to draw from him, by an almost uninterrupted series of questions, gave a deep interest to our intercourse." Our readers will hardly need to be told, that this bishop was no other than Mar Yohannan, who has recently visited the United States ; where the same traits of "friendliness, simplicity, and unreserved frankness," mingled with not a little of Oriental shrewdness, were abundantly conspicuous.

The travellers proceeded to the villages of Ada and Ardishai, where they had intercourse with the bishops and Nestorians of those places, which served to confirm the information and favorable impression received at Jamalava. They were prevented from visiting Oroomiah itself by the prevalence of the plague in that town. And although extremely anxious to extend their journey into the heart of the Kurdish mountains, and visit in person the patriarch, Mar Shimon, then residing at Kochannes, they were reluctantly compelled to give up their purpose, in consequence of the universally alleged impracticability of entering the mountains, coupled with the temporary revolt of some of the adjacent Kurdish tribes, and the prevalence of the plague. The travellers, therefore, returned by another route to Tabriz ; which they left again on the 12th of April for Constantinople, and arrived at Trebizond May 7th, 1831.

The printed report of the journey of Messrs. Smith and Dwight was drawn up by the former gentleman, partly at Malta and partly during his subsequent visit to the United States in 1832 ; and was published in January, 1833.*

* *Researches of the Rev. E. Smith and Rev. H. G. O. Dwight in Armenia ; including a Journey through Asia Minor, and into Georgia and Persia, with a Visit to the Nestorian Christians of Oroomiah and Salmas.* 2 Vols. Boston. 1833. — Also reprinted in London.

The work contains a large amount of information in regard to the countries visited, and their inhabitants ; and is well known to be one of the most accurate and trustworthy books of travels which have appeared in modern times. Nor has the information furnished by it been, as yet, superseded by the reports of other travellers ; so that Ritter, writing in 1840, justly refers to it as affording the latest and best accounts of these interesting regions. Mr. Perkins, also, who has had the best of all opportunities to judge of the value and accuracy of the work, pronounces it to be "one of very rare merit, on the countries and subjects of which it treats." The work has now been out of print for some years ; and we cannot but express our surprise, that the call of an enlightened community should not, as yet, have led the publishers to issue a second edition.

The important report of their agents, sustained by the personal representations of Mr. Smith, induced the Board to take measures for the speedy establishment of a mission among the Nestorians of the plain of Oroomiah. Mr. Smith was charged with preparing the details of the plan, and the selection of a missionary. His choice fell upon the Rev. Jonas Perkins, then a tutor in Amherst College ; and, in September, 1833, Messrs. Smith and Perkins, with their wives, embarked together at Boston for Malta ; the former to resume his labors in Syria, and the latter to proceed, by way of Constantinople and Trebizond, to Oroomiah.

The work, the title of which stands last at the head of this article, comprises the narrative and observations of Mr. Perkins, from the time of his embarkation at Boston, in 1833, during his residence of eight years in Persia, to his return, on a visit to the United States, in the spring of 1842. This is another contribution to the progress of literature and science from the pen of a missionary ; and we cannot but consider it as one of great importance and utility. Every page displays evidence, that the delicate office of selecting a missionary for the very peculiar field of labor among the Nestorians was successfully executed ; and the work exhibits the author as a man of a cultivated, well disciplined, and well balanced mind, and of great gentleness of temper, peculiarly adapted to win his way, and be the pioneer of literature and science to a people whose vernacular language was yet to be written down ; and the herald of Gospel light

and truth to a nation which had long sat in darkness and the shadow of death.

We cannot be expected here to enter into an extended notice of all the parts of such a volume, containing five hundred closely printed pages. Nor would we be understood to imply, that the work, excellent as it is, might not have been made better and more useful, had the author been placed in more favorable circumstances while preparing it for the press. Indeed, nothing could be more *unfavorable* to such a purpose than writing sometimes "an hour at a public house, while waiting for a stage-coach ; at other times, in the cabin of a steamer, among scores of passengers ; and often revising the manuscript while travelling in railroad cars." He has thus been led to transcribe into the work large portions of his daily journal ; where kindred facts lie scattered throughout many pages, instead of being brought together and arranged in classes, — a process which would have diminished the size of the book, but increased its value. Nor are we quite sure as to the importance of giving to the public, in 1843, the detailed journal of a voyage from Boston to Malta and Constantinople in 1833, ten years before. Neither Malta, nor Syra, nor Constantinople, nor the navigation of the Levant, is now what it was ten years ago. The noble steamers of England, and France, and Austria, and Turkey, now foam gallantly, and almost daily, in all directions through the Mediterranean and the Black Sea ; and the Dardanelles and Bosphorus are, or soon will be, covered with them, almost like our own Hudson. This one cause has been sufficient to change the face of things, within the last ten years, along the coasts of the Levant ; to say nothing of the other mighty influences which have been at work during the same interval.

But, notwithstanding all this, the book is written with such artlessness and truthfulness, that no one can hesitate a moment to yield full credence to its minutest statements. We doubt not but that the author carried this kindliness of temper and frankness with him from his own native hills ; and yet we would not like to say how much of it he may have imbibed from the simple-hearted people among whom he has labored. At any rate, there has been, in the arrangements of Providence, a peculiar adaptation between the

teacher and the taught. But we must confine ourselves to some general notices.*

After a residence of five months at Constantinople, Mr. Perkins proceeded, in May, 1834, to Trebizond, in an English schooner, performing the voyage in twelve days, instead of the sixty hours now occupied by the steamers. After leaving Erzeroom, he was induced, very unfortunately as it turned out, to leave the direct road to Tabriz, because of disturbances among the Kurds, and turn aside into that portion of Georgia which had recently been taken possession of by Russia. Here, from the moment he reached the frontier until he again left it on the other side, he and his estimable lady were subjected to a series of constant annoyances and oppression from Russian boors clothed with a little brief authority, — a malignant cruelty, indeed, to which we, although not unversed in the mysteries and annoyances of Austrian custom-houses and Asiatic quarantine and travel, have never known a parallel. Mr. Perkins justly remarks, that it is “the boorish deputies and subordinate officers, that are usually the agents of oppression in the Russian provinces”; and “that the bad character of the lower Russian officers, in the distant provinces of Georgia, is proverbial.” We would add, that the same bad character is proverbial throughout the whole vast Russian empire; and it is a well-known fact, that all the menial officials connected with the revenue of that mighty power are, with forethought, so inadequately paid, as to make it their interest to defraud the government by receiving bribes from the traveller, the merchant, and the smuggler. To one *au fait* in these matters, it is obvious, from the whole of Mr. Perkins’ statement, that the sole object of the harpies, into whose hands he thus fell, was, in the beginning at least, to extort money from him. Had

* We have a single verbal criticism to make. Mr. Perkins, in citing the words of a writer, sometimes introduces them by an inversion; e. g. “Says the Rev. S. L. Merrick, in a note to the author, ‘My attention has of late been turned,’” etc. p. 5; “Says Dr. Robinson; ‘The Chaldaic of Daniel and Ezra is hardly a fair standard,’” p. 13. According to our judgment, such inversions, at the beginning of a sentence in prose, are not in good taste, and are allowable only in poetry. The extracts would read better thus; “The Rev. S. L. Merrick says, in a note to the author,” etc.; “The Chaldaic of Daniel and Ezra,” says Dr. Robinson, “is hardly a fair standard,” etc. We have ventured this criticism, because we perceive that this mode of writing is creeping into many of the religious journals and reports of the present day.

he then been aware of this fact, and of the proper method of proceeding, a few *douceurs*, of far less amount than his detention and the sending back of his effects ultimately cost him, would doubtless have removed all difficulties, and have made his journey, as it ought to have been, one of six days among roses, instead of four weeks among thorns and thistles.*

But whatever difficulty and annoyance may have arisen to the travellers, from the malignant disappointment of Russian menials, these were more than counterbalanced, on their arrival at Tabriz, by the courtesy and efficient kindness of the British ambassador and his suite, first Sir John Campbell, then Mr. Ellis, and afterwards Sir John McNeill. Mr. Perkins brought to the ambassador letters of introduction; and, during the whole period of his residence in that country, the broad shield of British protection was kindly and effectually thrown over him and his associates in the mission, accompanied by constant acts of personal kindness and respect which do honor to both parties. The Russian embassy, too, was prompt to counteract the brutality of the subalterns on the Georgian frontier; and, during the absence of the British ambassador in consequence of the siege of Herat, the American missionaries enjoyed the official protection of Russia.

Tabriz continued to be the residence of Mr. Perkins from his arrival, in August, 1834, until the middle of November, 1835; and he has incorporated into his work a full account of that city and its inhabitants, with his observations upon the Persian character in general. On these topics our limits do not permit us to touch. In the month of October, 1834, he made a journey to Oroomiah, in order to acquire a general knowledge of the region and people among whom he was to take up his abode, and also to obtain, if possible, a teacher in the Nestorian language. He was accompanied on this journey by Mr. Haas, one of the German missionaries. Their route was the same as that of Messrs. Smith and Dwight to Khosrova; here the old Bishop was now

* Since writing the above, we perceive that Mr. Perkins states, in another place (pp. 157, 158), that he did make trial of pecuniary offers; but, he adds, "money, even, could procure for us neither favor, mercy, nor justice, in Georgia." There was, probably, some mistake in the time or mode of approach.

dead, and only the priest and a monk remained. Thence they proceeded across the mountain to Gavalan, the village of the Bishop, Mar Yohannan, where he was now residing. They reached the village at four o'clock in the morning, when the inhabitants were yet in a profound sleep. But the Bishop, on being called, recollected Smith and Dwight with lively interest, and very cordially welcomed *their friend* to his country and dwelling. Indeed, before the first salutation of welcome had fairly dropped from his lips, with an animated tone he artlessly inquired, "How can you make books for us, in your country, when you do not know our language?" Thus was the missionary providentially conducted, in the outset, to the man above all others prepared to receive him and his message; and who, by his influence, his docility, and simple-hearted kindness, was so well fitted to smooth the path of the stranger, and procure for him a favorable introduction among his people.

In the course of the day spent at Gavalan, Mar Yohannan expressed a strong desire to learn the English language; and so well was Mr. Perkins pleased with his appearance, that he proposed to him to go to Tabriz and be his teacher in Syriac, where, too, he could acquire the English. The Bishop assented, and declared himself ready to set off the next morning. When, accordingly, in the morning, it was suggested to him to get his effects in readiness for a year's residence in the capital, his reply was: "I want nothing but my blanket and three books, and they are soon ready." And so it proved; for, thus equipped, he was mounted and ready to start before the rest of the party. They proceeded to Oroomiah; and made an excursion to the village of Geogtapa, further south, where they waited upon the patriarch Elias of el-Kûsh, then on a visit to this region.* His reception of the stranger gave him great importance in the eyes of

* *Mar Elias* is the hereditary name and title of the regular descendant of the ancient Nestorian patriarchs of Seleucia and Ctesiphon, now resident at el-Kûsh, north of Mosul. *Mar Shimon* is the hereditary name of the Nestorian patriarch residing in the mountains. The latter was originally a modern rival of the former; but, as the patriarch of el-Kûsh long since gave in his adhesion to the Pope, the Nestorians on the east of the mountains deserted him, and yield allegiance to Mar Shimon. The Elias mentioned above, however, had at this time rejected papacy, and was therefore received with great respect by his former flock. The patriarch of the Chaldeans is called *Mar Yoosuf*, and resides at Diarbekr. Smith and Dwight, Vol. II. pp. 187, 205, *et seq.*

the people. The patriarch and Mr. Perkins conversed together *fluently* for three hours, through the medium of three interpreters ; the former speaking Syriac, which was translated by Mar Yohannan into Turkish, and this again by their Armenian attendant into Armenian, which Mr. Haas rendered into English. From this village, too, the Bishop took with him a young priest, named Abraham, to be his assistant and *servant* at Tabriz, a young man of fine talents, who has proved one of the best and most efficient helpers of the mission. From Oroomiah they proceeded southward to Ardis-hai ; and then, crossing the spur of the Kurdish mountains, entered the province of Sûlduz, and made their way back to Tabriz, around the southern end of the lake.

In the following June, the Bishop and priest returned home ; and the latter immediately commenced teaching *English* in his native village, with good success ! Late in August, Mr. Perkins went to Erzeroom to meet and welcome Dr. Grant and his wife, and Mr. Merrick, his future associates in the missionary work. About the middle of November, 1835, the families removed to the city of Oroomiah, which has ever since continued to be the seat of the mission. The remainder of the volume before us is occupied chiefly with extracts from the journal of Mr. Perkins from that time until June, 1841 ; when, in consequence of the feeble health of Mrs. Perkins, he was induced to undertake the long journey and voyage to their native land, accompanied by their first and steadfast friend, the Bishop, Mar Yohannan. We are happy to know that the influence of the voyage and of her native climate has restored the health of this excellent lady ; while the presence and efforts of her husband at home, and the novel attractions of an Oriental bishop, have not been without their effect in exciting and deepening the interest felt in the situation and prospects of this remnant of an ancient people. Early in March of the present year (1843), Mr. Perkins and his lady, with the Bishop and other new associates, again embarked at Boston on their way back to the plains of Oroo-miah.

We should be gratified to introduce here many anecdotes, illustrative of the progress of the mission and the character of the Nestorian people ; but have room only for a few general remarks upon the country and some facts connected with the missionary labors. It must be borne in mind, that

Mr. Perkins has had to do almost solely with the Nestorians of the plain, who are subjects of the Persian rule ; while all that we know of the independent tribes of the mountains has come to us through the more restless enterprise of his colleague, Dr. Grant.

The lake of Oroomiah, the ancient Spautes, is about eighty miles in length from north to south, by about thirty in width. Its waters are shallow in those parts where the shores are low, being not more than six or eight feet in depth. According to Maj. Rawlinson, the greatest depth of water found in any part is four fathoms, while the average is about two fathoms ; but the shores shelve so gradually that even this depth is rarely attained within two miles of the land.* It has no outlet ; and is surrounded by plains, with lofty mountains rising at no great distance. In the lake are several mountain islands, lifting themselves from the quiet waters at some distance from the shore, and appearing in fine relief. One of them is several miles in extent and contains several villages. The elevation of the lake above the sea is given by Mr. Ainsworth at four thousand three hundred feet.† Its waters are excessively salt, and to the passing traveller exhibit the same qualities as those of the Dead Sea. Next to these, likewise, their specific gravity is greater than that of any known waters. Like the Dead Sea, too, the dull and sluggish waters of this lake are rarely otherwise than calm. No fish can live in them ; yet the lake is frequented by water-fowl in great numbers, particularly the duck and flamingo, which seek their food among the decayed vegetable matter washed down into the lake. The flamingo, especially, is found here in such numbers, that the shore is sometimes seen for miles whitened with a continuous flock of them. They are often taken by placing snares made of hair in the shallow parts of the lake, near the shore.‡

The lake rises, every spring, from three to five or six feet, during the annual rains and melting of the snow on the mountains ; and as these cease, and the heat of summer comes on, it gradually recedes to its former level. In most places, the shores are flat, and only a few feet higher than the water, so that by the rising of the lake they are exten-

* *Journal of the Royal Geographical Society of London*, Vol. x. 1840. p. 7.

† *Ibid.* Vol. xi. 1841. p. 60.

‡ Perkins, p. 7.

sively overflowed ; and salt marshes exist in many places. As the waters gradually subside, a thin coat of salt is everywhere left upon the ground. The inhabitants take advantage of this circumstance to obtain salt in large quantities. In the autumn small embankments, eight or ten inches high, are thrown up, each enclosing a few acres. These in the spring retain a sufficient quantity of water to deposit a layer of fine white salt, two or three inches thick, which is crystallized during evaporation under the summer's sun. These fields of salt extend sometimes for miles. The incrustation is broken up into pieces, and then shovelled together into heaps. It is carried to market on donkeys ; or else is collected into larger heaps, like a small house, and covered over with mud, which soon hardens and shields it from the weather. Salt, of course, commands a price barely sufficient to cover the cost of transportation. The low land in the immediate vicinity of the lake is everywhere so impregnated with salt, that it produces no vegetation, except a weed which the natives collect and burn to obtain an alkali for making glass.* A person bathing in this lake finds a crystal coat of salt formed upon his body the moment he rises up ; and, as in the heavy waters of the Dead Sea, he finds it next to impossible to sink.

The three great alluvial plains on the west of the lake, separated from each other by spurs of the Kurdish mountains running down as promontories to the shore, extend up between the mountains like bays ; and their appearance suggests the inquiry whether they were not once covered with water. That which skirts the middle of the lake, the plain of Oroomiah, is about forty miles in length by twenty in breadth in its widest part. The mountains which sweep down to the lake at its extremities are imposing, and enclose it like a vast amphitheatre. This great plain, with the adjacent declivities of the mountains, is said to contain at least three hundred and thirty villages. It is abundantly watered by three large streams, each from one hundred to one hundred and fifty feet wide, besides many smaller water-courses. The soil is described as exuberantly fertile, and all under high cultivation ; that is, high considering the clumsy instruments and unthrifty habits of the inhabitants. The staple

* Perkins, pp. 393, 394.

productions are wheat, rice, cotton, tobacco, and the vine, besides a great variety of other fruits. Ten or twelve species of grape are enumerated. They are eaten fresh in their season ; and, being braided by their stems and suspended from the ceilings of the rooms, are kept fresh during the winter ; as we, too, have seen them in the valleys of the French Alps. Vast quantities are also converted into syrup, the *Dibs* of modern Palestine ; while still more, especially the inferior grapes and the gleanings, are made into wine and arrak. Cherries are abundant and excellent ; they ripen usually before the middle of June. Out of a present of some very fine pears, Mr. Perkins measured the largest, and found it twelve inches in circumference. Melons, and especially musk-melons, are much cultivated, and form a favorite article of food ; as does also the cucumber. Besides all these, there are apricots, peaches, apples, quinces, plums, nuts, and other fruits, of the finest flavor and in the most ample abundance.

The cultivation of the plain is necessarily carried on by irrigation ; since rain seldom falls during the summer months. Water is taken from the streams by canals, and carried by minute subdivision to all the fields. The larger canals serve also to turn rude grist-mills. But this abundance of irrigation, and the frequent rice-fields and stagnant pools of water, together with the rapid growth and decay of vegetable matter, cannot but generate a vast amount of miasma ; and thus serve to render unhealthy a climate naturally one of the finest in the world.

The city of Oroomiah lies about twelve miles from the lake, and two from the mountains, in the midst of this beautiful plain, on which the bounties of nature have been so profusely lavished. It contains about twenty-five thousand inhabitants, mostly Muhammedans. The view from elevations back of the city, Mr. Perkins describes as beautiful and imposing in the highest degree. Below him, the eye of the spectator rests upon gardens ; then upon the city half buried in shrubbery ; next it wanders over the vast plain studded with villages, verdant with thousands of orchards, hedges, and clumps of various trees, and waving with illimitable fields of golden grain ; further still it takes in the bright mirror of the placid lake sparkling under the brilliancy of a Persian sky ; and finally the blue mountains far in the dis-

tance beyond the lake. Mr. Ainsworth, too, describes the district of Oroomiah as presenting "an extraordinary scene to a person accustomed to the treeless monotony of the plains of Mesopotamia; a more fertile region can scarcely be imagined. One vast extent of groves, orchards, vineyards, gardens, rice-grounds, and villages, sometimes with a village-common. It much resembles the best part of Lombardy, between Milan and the Lago Maggiore."*

Of the Nestorians who inhabit this region, only about six hundred reside in the city; but they are numerous in the villages. In some cases, a village is occupied by them exclusively; in others, they dwell among the Muhammedans. Their main occupation is the tillage of the soil; of which, however, they are not usually the proprietors. The land is mostly held by Muhammedan lords, to whom the Nestorians stand in the relation of serfs, and often suffer from their lawless oppression. The Nestorians, like their Muhammedan neighbours, are a fine-looking race, of good stature, fair complexion, and with features regular, manly, intelligent, and often handsome. The complexion of Mar Yohannan, who visited this country, is said by Mr. Perkins to be considerably darker than that of most Nestorians. They are generous, kind, hospitable, artless, for Asiatics; and also brave, restless under oppression, and independent in their feelings. The Nestorians of the mountains, too, along with all their wildness and ferocity of character, still possess the same kindness and generosity which distinguish those of the plain. Even there a hungry man will divide his last piece of bread with a stranger or an enemy. It is a pleasing trait, that the Nestorians of the plain, plentifully provided as they are with the means of subsistence, as a matter of calculation, lay in stores for their poorer countrymen of the mountains, who are often driven in winter in large numbers to seek the charity of their brethren in the plain. In their appearance and manners the two classes differ like antipodes. Those of the plain call the mountaineers *wild men*.

There is, of course, great difficulty in estimating the number of the Nestorian population; of which those in the plain constitute by far the smaller portion. Mr. Perkins gives the following estimate, which is probably as near the truth as

* *Journ. of the R. Geogr. Soc. Lond.* Vol. xi. 1841. pp. 61.

any that can be made ; namely, in the district of Tiaree, the largest and most populous of all among the mountains, fifty thousand ; in all the other districts of the mountains, sixty thousand ; in the province of Oroomiah, between thirty and forty thousand ; in all, about one hundred and forty thousand. The Nestorian population of the plain is said to be rapidly increasing, by the permanent emigration going on from many of the mountain districts. Oppressed and overrun in those regions more and more by their Kurdish masters, they fly to their brethren in Oroomiah, as to a generous asylum.

Such are the feeble remains of one of the great branches of the ancient Syrian church ; of that branch, indeed, which, in purity of doctrine, and activity of early missionary effort, may be said to have approached nearer to the characteristics of Protestantism, than any other of the ancient churches. To this day the language of their ritual is the ancient Syriac. In it they possess the Scriptures (in the ancient *Peshito* version), their other church books, and a few rare copies of some of the works of the Fathers, and of books of the Martyrs, commentaries, lexicons, etc. Few as these books are, their readers are hardly more numerous. According to Mr. Perkins, not more than one in two hundred of the people can read, and in general only the clergy ; and even of these, the majority of the priests can only chant their devotions in the ancient Syriac, without knowing the meaning. Some even of the *bishops* in the mountains are still in this predicament. And yet the ancient Syriac is not only the language of their literature, but also of their correspondence ; their own vernacular dialect having never been written. With their neighbours, the Muhammedans, they speak, not the Persian, but the Turkish ; which here seems to be the general medium of communication among all the various tribes inhabiting this region, as Persians, Kurds, Armenians, Nestorians, Jews ; while each again has its own vernacular tongue, distinct from all the rest.

Among this people, so interesting in the character of their historical associations, but now sunk so low in the depths of ignorance and spiritual death, Mr. Perkins and Dr. Grant, with their families, took up their abode in November, 1835. Their object was the moral renovation of the people ; to kindle anew the light of life and truth in this remnant of an

ancient church, which "had a name to live, but was dead." The way to this end lay through the intellect and heart ; to win and purify the one, and cultivate the other. The missionaries learned their language ; they endeavoured to gain the confidence of the clergy and the people ; they opened schools for the instruction of adults and of children. They succeeded in their efforts, and not a breath of opposition has ever been raised against them by ecclesiastics or people. On the contrary, the former regard and treat them as brethren, and all look upon them as friends and benefactors. A new impulse has been given, and bright vistas of knowledge and delight are opening up to many minds before covered with darkness. The missionaries found their pupils docile, and exceedingly apt and quick to learn. We have already mentioned priest Abraham's English school ; Mr. Perkins was astonished at the success and rapid progress of the scholars. In general, so deep was their ignorance, that the every-day lessons of our smallest children seemed to them the loftiest heights of science. Peter Parley's Geography was to them an unfathomable mine of wisdom, and led to the inquiry whether our worthy friend was not one of the *American saints* ; they supposing that such boundless knowledge could be possessed by no mortal less than a saint. Some of the ecclesiastics ere long took up the study of Hebrew, and a class was soon formed under the direction of Mr. Perkins. The affinity of their own language to the Hebrew gave them here great facilities ; and Mr. Perkins elsewhere remarks, that "their proficiency, with very little effort, was such as would do honor to an Andover lecture-room."

A first and most pressing necessity was, to reduce to writing the common vernacular dialect of the people. A few slight attempts to do this had already been made by the Chaldean priest at Khosrova ; and these had been obtained and brought home by Messrs. Smith and Dwight, and served to prove to the learned world, that a dialect of the Syriac was still a living and spoken language.* This object was prosecuted by Mr. Perkins with judgment and sense.

* *Researches*, etc. II. p. 192. These tracts are now in the hands of Professor Roediger, of Halle, who has made good use of them ; see *Zeitschr. für die Kunde des Morgenl.* II. p. 77, *et seq.*

It was a matter of novelty and of great interest to the Nestorians to see their own tongue written down, and be able to read what they spoke, and just as they spoke it. The subsequent arrival of a press was to them a source of inexpressible delight, alike as a curiosity, and as holding out the pledge of a new era to these people. When the proof-sheet of the first tract in their language was brought and laid upon Mr. Perkins' table, — the first sheet, indeed, ever printed in that language and character, — his translators, the priests Abraham and Dunka, were struck with mute astonishment to see their language *in print*, and at length mutually exclaimed : “ It is time to give glory to God, that our eyes are permitted to behold the beginning of printed books for our people ! ” Well might they thus, in the simplicity and sincerity of their hearts, give glory to God ; for who can fully estimate the priceless boon ?

This vernacular language of the Nestorians Mr. Perkins justly describes as “ a modern dialect of the ancient Syriac, much barbarized by inversions, contractions, and abbreviations, and by the introduction of a great number of Persian, Kurdish, and Turkish words.” Yet, though thus corrupted, “ the body of the language comes directly from the vernacular ancient Syriac, as clearly as the modern Greek comes from the ancient.” Such, too, is the testimony of the scholars of Europe, who have examined the translations and specimens sent home by Mr. Perkins. Yet in the face of all these facts and of almost an historical necessity, there are those who hold this modern language to be derived from the ancient Chaldee, rather than the Syriac. We have ourselves heard Mr. Rassam, the companion of Mr. Ainsworth, himself a Chaldean by birth, from the neighbourhood of Mosul, scout the idea of the language of his people being any other than a very corrupt progeny of the Biblical Chaldee ; of which, by the way, he knew nothing ; so corrupt, indeed, as not to be worth the trouble of making it a written language. Yet this is the same dialect with that of the Nestorians of Oroomiah ; it is the language of a Christian population, themselves the remnant of an ancient church and people, among whom the ancient Syriac alone was the vernacular tongue. The position, indeed, is little other than absurd, that such a people should now be found speaking a dialect, not of the tongue of their ancestors, but of another

ancient people, with whom they had no other connexion than is indicated by the affinity of the two ancient dialects, the Chaldee and the Syriac. The absurdity has arisen from the kindred folly of attempting to make the modern papal Chaldeans an offshoot of the ancient Chaldeans.

The results of the Nestorian mission, so happily begun and successfully prosecuted, are cheering. The number of missionaries at Oroomiah, including Mr. Perkins and those who recently embarked with him, is seven, with their families ; besides a printer and two female assistants. Dr. Grant and two or three others are among the Nestorians of the mountains. The main station is at Oroomiah ; but there are seven other places for stated preaching among the villages of the plain. The higher seminary connected with the mission has about fifty pupils, of whom eighteen are females. There are twenty free schools in as many different villages, all taught by native priests or deacons. These contain four hundred and seventy pupils, of whom forty are girls. The press arrived in November, 1840 ; and in the year 1841, sixteen hundred volumes were printed, and three thousand six hundred tracts ; amounting in all to five hundred and ten thousand four hundred pages.*

We must break off here. But we cannot refrain from commending this volume of Mr. Perkins to the favorable notice of all our readers, as another trophy of the enterprise and talent of American Missionaries, not only in the cause of truth and the Gospel, to which they are devoted, but also in the kindred fields of literature and science.

ART. VIII. — *Classical Studies ; Essays on Ancient Literature and Art. With the Biography and Correspondence of Eminent Philologists.* By BARNAS SEARS, President of Newton Theological Institution, B. B. EDWARDS, Professor in Andover Theological Seminary, and C. C. FELTON, Professor in Harvard University. Boston : Gould, Kendall, and Lincoln. 1843. 12mo. pp. 413.

THIS book brings back to us a pleasant vision of the life that "won our heart in our greener years ;" a life of tranquil

* *Annual Report of the American Board*, Sept. 1842, p. 129.

study ; the days and nights of the unambitious scholar who loves knowledge for its own sake, and not for its glory or its gain. It gives us a vivid image of what we never see even now without a half sigh of envy, — a professor's comfortable study, with its ample table irregularly strewn with books, its well worn easy-chair, and its walls lined with solid-looking volumes, in which a thin selvedge of text runs along the edge of a deep web of notes, written, for the most part, in bad Latin, and stuffed with all manner of unprofitable learning, and yet making very pleasant reading to an idle man, — a smooth piece of turf coming up to the windows to refresh the eye with its verdure, and a tree or two to fling their cool, green light into the room, and just enough of order and neatness to give indication of the watchful eye and tasteful hand of what our German friends call a "Professorin." It carries us back to those early days, when the master spirits of antiquity held despotic sway over the mind, and brooked no rival near the throne. The nightingales of Sophocles are again singing in our ears their thick-warbled notes, and the deep organ-tones of Homer again pass over the soul. We feel anew the unbought charm that breathes from the honeyed page of Herodotus, and, over the lifeless body of the younger Cyrus, moralize upon the shrinking of ill-weaved ambition. We are under the hot sun of Italy with Virgil, while the air is vocal with the song of the cicada, cutting from the vine its superfluous leaves or twining garlands for some rustic Amaryllis. We are again imperfectly apprehending the courtly elegance, the perfect taste, the genial good sense of Horace, and the deep-freighted wisdom of Tacitus, and giving to every legend of Livy that implicit faith, which, at an earlier period, was accorded to the Children in the Wood, and Little Red-riding-hood.

These associations would alone be sufficient to make us look with favor upon this book, and turn all our critical gall into the milk of human kindness. From another circumstance, too, we are disposed to be kindly affectioned towards it ; and that is, the union of names upon the title-page. We have here the President of the Baptist Theological Seminary at Newton, a Professor in the Theological Seminary at Andover, and a Professor of Harvard University, men differing widely and conscientiously upon the most vital and important of subjects, and yet meeting harmoniously upon the com-

mon ground of classical literature, and uniting their efforts to promote that diffusion of sound learning and correct taste, in which, as scholars and citizens, they have the same interest. It gives us pleasure to see men consenting to put aside the points on which they differ, and recognizing a bond of union in those upon which they agree. It is good for the mind, especially of the secluded scholar, to be brought into contact with those who have been trained under different influences, and look at common subjects of interest from another point of view. The effect is mutually freshening and invigorating. The growth of budding prejudices is thus checked, and air and light are let in upon learning, which solitude is apt to make mouldy. We feel strongly and deeply, in our country, upon theological questions, and strength and depth of conviction naturally beget intolerance, and intolerance infects the whole mind and warps the judgment upon indifferent subjects; and we are therefore particularly pleased to see the liberalizing influences of good learning, that it can thus create a unity of spirit and bind men together in the bond of peace. We hope that many more good books may be the result of this literary copartnership which puts into a common stock so great a variety of gifts and attainments.

The original contributions to this volume are comprised in the Introduction, apparently the work of more than one hand, but well and eloquently written throughout, with, perhaps, here and there a little overstatement; in a very unpretending and agreeable essay of a few pages on the schools of German philology, by Mr. President Sears, an interesting sketch of the school of philology in Holland by Professor Edwards, and about fifty pages of scholar-like and well prepared notes, which are neither long nor dry, and which tell the reader all that is necessary to illustrate the text, and no more.

The remainder of the volume is occupied by translations principally from the scholars of Germany, that wonderful country, which, in its indispensable books of reference, supplies the scholar of every other country with the very tools of his craft; where various and profound learning is as cheap and as common as a talent for public speaking in our word-deluged country; where a man first reads all the books in the world, and then writes a whole library full of his own; and where you can always find some one or more persons, who,

upon every possible subject, know more than anybody else in any other country. And with what a bound, comparatively speaking, has the mind of Germany risen to this pride of place and this commanding influence ! Forty or fifty years ago, our notions of Germany were those of a strange country, where every thing that was not coarse was mawkish ; where they ate sour-kROUT and grew sentimental over their bread and butter ; where bearded men embraced each other, and shed maudlin tears by moonlight ; where they spoke a crabbed dialect, about as much studied in other countries as Persian or Arabic ; and whose literature was a strange combination of fantastic horrors and mawkish sentimentality, fitly represented by Schiller's "Robbers," Göthe's "Sorrows of Werter," and Kotzebue's "Stranger."

These translations are miscellaneous in their character, and of various merit. There are four papers by the venerable Frederic Jacobs, one of the most learned and elegant scholars of Germany, and who is held in the highest honor in that country for his various and profound attainments and his amiable character. There are, an inaugural discourse on the study of classical antiquity, translated by Professor Edwards, and discourses on the wealth of the Greeks in works of plastic art, on the superiority of the Greek language in the use of its dialects, and on the education of the moral sentiment among the ancient Greeks, all of which are translated by Professor Felton. These are all the productions of a ripe and accomplished scholar, and an independent thinker, whose stores of learning are controlled and adorned by good sense and good taste, and whose views are expressed with manliness and without arrogance. The reader will hesitate to yield his assent to all his opinions, especially on the subject of the moral education of the Greeks, but the tone and spirit with which they are propounded will certainly meet with his respect. Though less marked by national peculiarities than most of his countrymen, with fewer strong individual traits and more of that quiet finish and thorough-bred quality of mind which seems almost the exclusive heritage of the scholars of England, he is still a thorough German, and his discourses swarm with passages which could never, by any possibility, be mistaken for the growth of any other soil. It is not easy to state distinctly what these peculiarities are, or to explain all the causes from which they flow ; but they are

of that kind which we should expect to meet with in a body of writers and scholars, living for the most part in small academic communities, conversant only with books and bookish men, seldom taking part in active life or associating with men of the world, and writing in a rich and flexible, but lawless, language, with no acknowledged standards of composition, fettered by no strict rules, and where every man is allowed to write as he pleases and make a style for himself. Among the most obvious and prominent of them are an exuberance of diction and hardihood in the use of figurative language; a certain simplicity of statement, showing a want of perception of the ludicrous; a sort of unconsciousness that some things are to be taken for granted, and an unwillingness to leave any thing unsaid; a notion that the merit of a sentence is that of a trunk, the more you can pack into it, the better; and a kind of dreamy indistinctness of thought and vague cloudiness of expression, showing a tone of mind not entirely healthy, or a want of manly training in the exercise of composition. Some of these peculiarities may be illustrated by two or three paragraphs from the writings of Jacobs, in each of which, however, the candid reader will see merit, and acknowledge the stamp of a superior mind. The following observations on the influence of religion upon art are from his discourse upon plastic art among the Greeks.

“But that the outward life, which as has been shown before, excited the art of the ancients in such various ways, was unfolded in modern times after a fashion less favorable to art, is partly to be ascribed to other causes, but chiefly to the change of religion. Here we can only touch upon the most essential points. The plastic sense of the Greeks was converted by Christianity into a mystical one. While the Greek heathen deified the inner life of nature, and made this life, revered as divine, visible to the senses as well as to the soul, by a new creation,—in the Christian world, the contemplation of the Divine Being retired to the soul, and all earthly appearance paled in the glory with which the new religion encompassed the only God of heaven and earth. By this new and more profound revelation, earth and life seemed to change their shape; the former was converted into a vale of trial and sorrow; the enjoyment of the present was lost in the effort to become worthy of future and real life, or in the longing for death; and, absorbed in the contemplation of the unfathomable, the spirit shunned, as far as possible, all that could enchain it to the life of form. It was no more the

destiny of man to enjoy his existence on earth, but, mindful of the better, though forfeited country, to mourn over the earthly fetters that detained him in the prison-house of the flesh. Now, therefore, form, even in its perfected beauty, seemed only as a wall of separation from the recognition of the infinitely perfect, to a reunion with which, as to the object of unceasing longing, the overthrow of these earthly barriers led. The infinite beauty of a world which transcended all conception could only come forth from the annihilation of the finite form. The flowers of Paradise could only blossom from the ashes of the grave; the liberated champion could only travel to his proper country through the triumphal arch of the tomb. Under the influences of a religion so spiritual,—and how mightily this influence worked in early times is known,—plastic art, limited to austere forms, could thrive no more. Music, as the most spiritual interpreter of the ineffable, and, as it seemed, the least enchained by earthly fetters, soared away beyond all the arts; but poetry moulded itself anew, and, swallowed up in the infinity of mysticism, strove to utter, in new tones, the boundless longing after perfect holiness, the never-satiated astonishment at the incomprehensible, the profound scorn of the earthly the ecstasy of devotion, and the compunction of remorse. Here was no place left for creative art, had the weakness of human nature been able to follow the steep and narrow path to the eternal, which the piety of the inspired fathers of the primitive church traced out before him. Meantime, human sentiment even here asserted its claims, and the love for the Divine Author of the religion came somewhat in aid of the natural wish of men to cheat desire by the image of the desired object. But, in order to build itself up in this new-formed world, it must needs submit itself to new laws. To aim exclusively at beauty, like the Grecian sculptor, would have been profane. The first object Christian art had to aspire after was instruction and significance; and, as painting can attain this end more easily and perfectly than plastic art, and as, besides, it works with more spiritual means, it soon became the favorite companion of Christianity, when Christianity gradually embodied itself in outward forms.” — pp. 93–95.

From the discourse on the moral education of the Greeks we copy a few paragraphs.

“If morality is the inward health of man, and health consists in the harmonious accord of all his powers, so that even his baser part, the chaos of his impulses and desires, obeys the free principle of his higher nature, not merely with a slavish fear, but, pervaded by this principle, itself assumes the character of free-

dom ; it is manifest that such a harmony cannot be the result of force and compulsion. Morality is inward beauty ; but beauty is the flower of freedom. Severe law makes the useful slave, but the moral man should be the very image of freedom. True, indeed, above the warring elements of manifold powers, impulses, and inclinations, which primarily toss and billow in the soul, hovers the imperial will, as an austere Nemesis, with her measure of right, or as inexorable Justice, to check the wild uproar, and to enforce the majesty of law. Certainly, this power, certainly, the god in man, must enjoin reverence upon the lower nature, and fright it back within its banks, when it breaks through the barriers ; but he who restores the lost equipoise is not, therefore, its author and creator. As, according to a profound opinion of the ancient sages, the stormy rage of the yeasty elements, and their wild discord, were dissolved and reduced to order by the power of love, so, too, is it the magic of beauty in the human soul, which curbs its passions with gentle rein ; it is the breath of love, that unites like to like, and reconciles the jarring elements ; that unfolds the hidden germ of the inner man, until it blossoms, and works the miracle of a harmony, by which unruly accident is pervaded with the law of necessity, and necessity itself is transfigured to the shape of freedom.

“ Hence it has long been acknowledged, that human nature, in order to be trained to morality, requires a mediator, who shall reconcile the severity of unbending law with the wantonness of wildly stirring impulses ; purify and exalt them ; soften by love the former, without abasement of its majesty ; and it has been acknowledged, too, that this mediator is no other than the idea of beauty and sublimity, in which the divine nature, as the source and origin of the moral law, reveals itself in the earthly. This is the sun of the heaven within us, around which the elements of our being gather in regular and freely moving dance ; pervaded by whose beams, every impulse is transfigured, and, when the time for action is at hand, comes forth, like the son of Tydeus, with glory blazing round it, kindling admiration and emulous delight.

“ Hence it follows, as the first demand upon an education which is to form the morals, that it set up in the soul, and inspire with life, the idea of the beautiful and the great, along with imperative law. That the stream of unbridled caprice, and of the selfish despotism of the passions, may retire within safe banks, and that blind impulse may freely fall in with the order of a legislating government of the intellect, unshackled force must be encountered by the idea, which, because it comes down from God, is mightier than every earthly influence ; as law, im-

perative; but, as beauty, and veiled under the ethereal disguise of an image recognizable by the senses, kindly chiming in with the inclinations of the heart. For, in man's inward economy, none of the priceless powers of his nature should be lost; each should keep the place in which it can work with the best and most salutary effect; and, inasmuch as they all tend towards his god-like part, his inmost being should be moulded to a whole, of the purest, holiest, and most enchanting harmony." — pp. 321–323.

We have been pleased and instructed with a valuable paper translated, or rather compiled, by Mr. President Sears, from Ferdinand G. Hand, a writer, of whom, we are ashamed to say, we had never before heard. It is learned and instructive, and marked by that assured tone of superior knowledge, which would show, even to an ignorant man, that the writer was thorough master of his subject. It is written in a simple and business-like style, and is in every respect a most excellent essay. With the exception of a few flowery and highly wrought pages, not entirely to our taste, translated by Professor Edwards, from a discourse by the celebrated Bishop Tegnér, the Swedish poet, who was, at one period of his life, a professor of Greek, the remaining pages of the volume are occupied by a selection from the philological correspondence of some of the leading scholars of Germany and Holland, Ruhnken, Ernesti, Heyne, Wolf, Wyttenbach, Böttiger, Jacobs, Passow, and others. The letters are translated by Mr. President Sears, about one half of them from the Latin, and the remainder, with two or three exceptions, from the German. The correspondence is characteristic, and generally interesting, though we confess that we began to grow a little — a very little — weary, before we had read it completely through. The letters give a curious picture of the manner of life of these laborious and secluded scholars, and make unconscious revelations of the effects produced by it upon their own minds and characters, of the quiet self-esteem insensibly generated by the habit of being always surrounded by admiring scholars, of the irascibility which comes from being seldom contradicted, of the almost ludicrous importance given to their own studies and occupations, and the consequence assumed by disputes about accents, metres, particles, or enclitics. But this is the weak side of learning; its "peccant humors," as Lord Bacon would call them. Its better aspect

may be seen in that life-long and untiring industry which distinguishes these scholars, their respectability of character, the patience with which they bear the pressure of poverty and the heart-sickness of deferred hope, their enthusiastic love of letters, and their equal readiness to teach and to learn. As specimens of intellectual power and vigor of thought, we confess that these letters do not seem quite commensurate with the high tone of eulogium bestowed upon their writers. From portions of this correspondence, as well as from the essay of Professor Edwards, the reader may learn to correct some of the debasing and ludicrous associations with which the names of Holland and Dutchmen are probably linked in his mind ; names, to the common apprehension, redolent only of cheese, gin, herring, and tobacco smoke. This is owing partly to the uncouth language of that country, which nobody studies, but upon compulsion ; and partly, so far as we are concerned, to the wit and humor of our gifted countryman, Diedrich Knickerbocker, over whose amusing pictures of Dutch life and manners we have never laughed without some compunctious visitings of conscience, and without feeling our ears slightly pulled by the hand of Truth. The world seems to overlook the fact, that the history of Holland is ennobled by the highest virtues of peace and war, by valor, by enterprise, by the most heroic endurance of adverse fortune, and by wisdom in success ; — that her annals are thickly studded with great names, among which, especially, that of the illustrious William the Taciturn shines with a lustre second only to that of Washington ; — that she is rich, too, in intellectual wealth, was at one time the first country in Europe in literary rank, and that she has never been without a band of scholars, not merely patient, plodding, and laborious, but accomplished and elegant.

The translations in this volume are evidently faithful and conscientious transcripts of the originals. Each sentence having passed through the careful examination of three excellent German scholars, it is hardly possible that there should be any mistake or inaccuracy. Their purpose has been to make their versions as literal as possible, consistently with the English idiom, and not to sacrifice the peculiar flavor of the original to mere smoothness of style. Consequently, there are occasionally sentences which strike upon the ear somewhat baldly, but every one, who has ever

attempted to translate from German prose, must choose between this, and a very loose paraphrase, and, in our opinion, the choice which has been made is the true one.

We conclude our notice with copying three or four paragraphs of the Introduction, in which the cause of classical learning is advocated with eloquence, beauty, and feeling.

“Amidst the din of practical interests, the rivalries of commerce, and the great enterprises of the age, classical studies are gaining ground in public estimation. It must always be so with the advance of civilization. We must, however, confess with shame, that in American legislative assemblies, where we naturally look to find the highest courtesy of manners and the graces of literature, little proof of advancing culture, of any kind, is given. Scenes of brutality, to the disgrace and sorrow of the nation, are often enacted in the Congress of the United States, that seem to show that the night of barbarism is settling over the land. Many of the speeches delivered there exhibit a coarseness and vulgarity of sentiment, a disregard or ignorance of the proprieties of speech, an utter insensibility to the elegances of letters, and to the humanizing influences of the arts, which must be bitterly deplored. When a work of art was lately received in Washington,—a work on which the great American sculptor had lavished all the resources of his genius, and spent several years in the flower of his life,—it was assailed by an honorable member, in a strain of ribaldry, which a gentleman cannot even quote.

“But the prospects of American education and refinement are more encouraging, if we turn from public to private life. It is a much more common thing for young men to continue their classical studies beyond the time of the college education, than it has been in former days. The orators and dramatists of Greece and Rome are frequently made the companions of the writers on law and divinity, though classical pursuits are sometimes represented as on the decline all over the world. Modern literature, throbbing with present life; impassioned poetry, which the strong and exciting character of the age kindles into fiery expression, take hold of all hearts, stir up all minds, and leave but little time for the severer pursuits of the classical scholar. But this is a wrong view of the subject, at least in the extent to which it is sometimes carried. The excitements of modern literature lend additional ardor to classical studies. The young blood of modern literature has put new life into the literature of the dead languages. That exquisitely beautiful poem, Goethe’s ‘*Iphigenia at Tauris*,’ has inseparably connected the

name of the great German with him whom Aristotle calls the most tragic of poets, and who was Milton's most cherished bard. The comparison between the German and the Greek gives a fresh charm to the works of both. This point is admirably illustrated in Hermann's eloquent preface to his edition of the 'Iphigenia Taurica' of Euripides. That most delicate and harmonious tragic drama, the 'Ion' of Mr. Talfourd, — whose composition shed a delight and a charm over many years of intense professional labor, — has led many a scholar back to the beautiful antique, from which the title and the general subject were taken; and the applause, with which this masterly reproduction of the classical spirit and almost the antique form was welcomed a few years ago, was a pleasant indication of the still existing love of antique beauty. The majestic simplicity of Milton's 'Samson Agonistes,' and its Dorian choruses, forcibly bring to mind the 'Prometheus' of Æschylus, and suggest very instructive comparisons between the lofty characters of the two poets. And who does not feel that he can better understand, and more profoundly appreciate, the glorious, but terrible, imagination of the poet of 'Agamemnon,' when he has once been moved and agitated by the awful power of 'Macbeth'; when the myriad-minded poet of England, in whom the genius of man took its sublimest flight, has once entered into and taken possession of his soul?

"But the Greek and Roman classics stand at the beginning and at the source of European culture. Nothing can displace them. Homer is the fountain-head of all European poetry and art. There he stands, venerable with nearly thirty centuries, touching his heroic harp to strains of unsurpassed, nay, unapproachable, excellence and grandeur. All the features of a great heroic age, — the chivalry of the classical world, — from which European civilization dates, and political and domestic order take their rise, — stand forth in living reality, in his immortal pictures. There he stands, radiant with the beams of the early Grecian morning, as 'jocund day stands tiptoe on the misty mountain top.' Who is to drive him from his station there? And how, then, is Homer to pass from the memory and the hearts of men? Impossible. It is not a question to be decided by a few petty and short-sighted utilitarian views. Homer's reign is firmly established over the literary world, and, if any nation should ever become so barbarous as to banish him from their schools, the penalty and disgrace would be their own. The language of Homer, as a picturesque, melodious, and enchanting instrument of thought, has never been surpassed.

"Now these great ancients have been, time out of mind, the teachers of the civilized world. They form a common bond, which unites the cultivated minds of all nations and ages together. He who cuts himself off from the classics, excludes himself from a world of delightful associations with the best minds. He fails to become a member of the great society of scholars; he is an alien from the great community of letters. He may be a learned man; he may have all the treasures of science at his command; he may speak the modern languages with facility; but if he have not imbued his mind with at least a tincture of classical taste, he will inevitably feel that a great defect exists in his intellectual culture." — pp. iv — vii.

ART. IX. — 1. *Case of the Somers Mutiny. Defence of Alexander Slidell Mackenzie, Commander of the U. S. Brig Somers, before the Court-Martial held at the Navy-Yard, Brookline.* New York: Tribune Office, 160 Nassau Street. 1843. 8vo. pp. 30.

2. *History of the Mutiny at Spithead and the Nore, with an Inquiry into its Origin and Treatment; and Suggestions for the Prevention of future Discontent in the Royal Navy.* [Family Library, No. LXXX]. London: Printed for Thomas Tegg, 73 Cheapside, 1842.

THE highest crime known to the law is treason; it is higher than other crimes, because it draws in its train the perpetration of all others. It is an endeavour to overturn the government of the country. To accomplish its end, it unlooses the bands of social order, it subverts the authority of law, and inflames the worst passions of men. It is wise, therefore, for nations to guard against this crime, by jealous laws and stern punishments. In earlier times, the allegiance of the subject was confirmed by a sort of political sacrament. Our master poet has finely expressed the sentiment of his age, when he makes Richard the Second say,

"Not all the water in the rough rude sea
Can wash the balm from an anointed king."

To his sovereign every subject vowed "truth and faith to

bear of life and limb and terrene honor, and not to know or hear of any ill intended him without defending him therefrom." The terrible penalty affixed to a violation of this oath was a token of the enormity of the offence, and a warning against its commission. And though in our day the heads of traitors are no longer suffered to bleach at Temple Bar, nor are the four quarters of their bodies nailed over the gates of cities, still the crime of treason continues to be hateful in the eyes of the law.

On the sea and in the narrow confines of a ship, the crime of mutiny corresponds in enormity, as in its general character, with treason. It is an endeavour to overturn the government of the ship, which is a portion of the floating sovereignty of the country. Its success involves the lives of the officers, and desecrates the flag which all are sworn to guard. Murder and piracy follow in its train. The ship, which sailed with the commission of the Government in search of undiscovered lands, in the hope of extending our knowledge of the face of the globe and of enlarging the domains of science, or, perhaps, in pursuit of the public enemies, is suddenly arrested in its course, not by any external arm, and the hopes and expectations hanging upon her voyage are blasted. It is well for the honor of navigation that its annals are blotted by so few instances of this crime.

Could we summon Christopher Columbus from his tomb, by the side of the grand altar of the cathedral of Havana, where his remains have at last been allowed to repose, he might disclose to us, how, for a moment, even his magnanimous soul quailed before the mutinous voices of his crew, calling upon him to abandon the voyage, which, in its successful termination, gave to the kingdoms of Castile and Aragon a new world. We read of the anxious nights which he passed, while the seamen gathered together in the retired parts of the ship, at first in little knots of two and three, which gradually increased and became formidable, plotting the overthrow of the authority of the Admiral. And, even after the flights of small birds were seen, and the fresh green herbage floated by, the mutiny seems to have prevailed, threatening disastrous results, till that eventful night when the cry of "Land" from the *Pinta* announced the great discovery on which the intrepid navigator had staked the fortunes of his voyage.

A brief sketch of the most remarkable mutinies which disfigure the history of the British navy will prepare us for the consideration of the melancholy event of the *Somers*, which has occupied for so long a time so much of the public mind. From this survey we shall learn how swiftly the passions of men sweep them into crime, and how overwhelming the sudden and unexpected mutiny may become, as without any warning the hot lava descends the mountain side, carrying with it destruction and death. It may teach us further, that the commander cannot be too wakeful in his care to preserve his ship, and that his duty to the flag under which he sails, and to the crew that remain loyal, may impose upon him stern necessities which would not arise in the peaceful course of an ordinary voyage. We will add, that, while we are far from referring to the experience of the past with absolute and exclusive confidence, as a guide for our conduct, still we cannot hesitate to draw from it most valuable lessons.

We begin with the mutiny of the *Bounty*, an incident which is connected in various ways with circumstances abounding in interest, in romance, and in instruction. This ship had been fitted out under the direction of the British Government, for the purpose of introducing the bread-fruit tree from the islands of the Pacific Ocean to the West Indies. Through the recommendation of the amiable Sir Joseph Banks, it was placed under the command of Lieutenant Bligh, who had been with Captain Cook. Her burden was about two hundred and fifteen tons, and her muster consisted of one lieutenant, who was commanding officer, one master, three warrant officers, one surgeon, two master's mates, two midshipmen, and thirty-four petty officers and seamen, making, in all, fifty-four, to whom were added two skilful and careful men, who were to have the management of the plants. On the 23d of December, 1787, the ship sailed from Spithead, and arrived at Otaheite on the 26th of October, of the next year. There she remained till the 4th of April, 1789, receiving the plants which were the object of her voyage, while her crew were lapped in indulgence, afforded by the warm climate and the gentle natives. On the 27th of April, she was between the islands of Tofoa and Kotoo. Thus far, the voyage had been one of uninterrupted prosperity.

"A very different scene," says Bligh, in his spirited journal, "was now to be experienced. A conspiracy had been formed which was to render all our past labor productive only of extreme misery and distress. *The means had been concerted and prepared with so much secrecy and circumspection, that no one circumstance appeared to occasion the smallest suspicion of the impending calamity,* the result of an act of piracy the most consummate and atrocious that was probably ever committed. On leaving the deck, I gave directions for the course to be steered during the night. The master had the first watch, the gunner the middle watch, and Mr. Christian the morning watch. This was the turn of duty for the night. Just before sun-rising on Tuesday, the 28th, *while I was yet asleep,* Mr. Christian, officer of the watch, Charles Churchill, ship's corporal, John Mills, gunner's mate, and Thomas Beckett, seaman, came into my cabin, and, seizing me, tied my hands with a cord behind my back, threatening me with instant death if I spoke or made the least noise. I called, however, as loud as I could, in the hopes of assistance; but they had already secured the officers who were not of their party, by placing sentinels at their doors."

With his hands tied, and the chief mutineer pointing a bayonet at his breast, Captain Bligh was hurried into the launch of the ship, in company with eighteen of his officers and crew. The mutiny assumed such instant strength, that all his efforts and exhortations were ineffectual to regain the control of the ship, and he was at length cast adrift on the open sea. "The secrecy of this mutiny," says Bligh, in another part of his journal, "is beyond all conception. Thirteen of the party, who were with me, had always lived forward among the seamen; yet neither they, nor the messmates of Christian, Stewart, Heyward, and Young, [officers who remained with the mutinous crew,] *had ever observed any circumstance that made them in the least suspect what was going on.* To such a close-planned act of villany, my mind being entirely free from any suspicion, it is not wonderful that I fell a sacrifice."

It appears from the minutes of the court-martial, which was afterwards held in England on some of the offenders, that the mutiny was not strictly the result of a conspiracy. The whole affair was planned and executed between the hours of four and eight o'clock on the morning of the 28th of April, when Christian had the watch on deck. Sore with wrongs fancied or real, which he had received from his

commander, he had formed the idea of quitting the ship. Being called from a half-hour's disturbed sleep, in order to take charge of the deck, finding the two mates of the watch asleep, his youthful brain warm with the remembrance of the harshness of his commander, who was now sleeping unconscious of danger, the ship far away from her home, on untried seas, amid islands filled with allurements to the seaman, and now completely in his power, — with a sudden impulse he darted down the fore-hatchway, got possession of the keys of the arm-chest, and made the hazardous experiment of arming such of the men as he thought he could trust, and in a few hours overturned the supreme authority of the ship, to become a pirate.

It would be beside our purpose to follow the interesting story of the fates of the two different parties, — the commander and his companions, in their small open boat at the mercy of the waves, with starvation staring ghastly in their faces, for the space of forty-one days, during which they sailed a distance of 3618 nautical miles ; or the more unfortunate mutineers, with the ample comforts of a spacious ship, over which they had complete control, yet condemned to renounce the delights of country and home, and to be wanderers and fugitives on the face of the earth, with the brand of piracy on their foreheads.*

But the perilous voyage in the open boat furnishes an incident illustrative of the character of mutineers. It seems that, among this small number, bound together by close companionship in danger, the spirit of discord appeared, only to be arrested by the most energetic conduct of the commander. At one moment, it was on the point of de-

* The history of the miraculous navigation of Captain Bligh in the open boat is given in his "Journal." The principal parts of this are reproduced in an interesting little book on the *Eventful History of the Mutiny of the Bounty*, first published in the London Family Library, and afterwards, with omissions and modifications, "to render it more acceptable to the American public," in Harper's Family Library. In this volume, the reader may follow the fate of the mutineers, torn by intestine feuds, thinned by desertion, finally establishing themselves on one of Pitcairn's Islands, off the common track of ships in those seas, and there founding a little colony, in which, after deeds of violence and bloodshed, piety and sound morals seem, at last, to have found a home. The discovery of the descendants of these mutineers, after a lapse of time which had almost effaced the memory of the crime of their fathers, is one of the most interesting incidents in the history of navigation. It attracted the attention of Byron, who borrowed from it some of the topics of "The Island."

veloping itself in open and successful mutiny. The Journal of Captain Bligh describes it as follows :

“ The carpenter (Purcell) began to be insolent to a high degree, and at last told me, with a mutinous aspect, he was as good a man as I was. I did not just now see where this was to end ; I, therefore, determined to strike a final blow at it, and either to preserve my command, or die in the attempt ; and, taking hold of a cutlass, I ordered the rascal to take hold of another and defend himself, when he called out, that I was going to kill him, and began to make concessions. I was now only assisted by Mr. Nelson ; and the master (Fryer) very deliberately called out to the boatswain, to put me under an arrest, and was stirring up a greater disturbance, when I declared, if he interfered when I was in the execution of my duty to preserve order and regularity, and that in consequence any tumult arose, *I would certainly put him to death the first person.* This had a proper effect on this man, and he now assured me, that, on the contrary, I might rely on him to support my orders and directions for the future. This is the outline of a tumult that lasted about a quarter of an hour.”

It appears, from the language employed by the commander, that he would not have hesitated to resort to the most summary means to sustain the command of his little boat.

But the extent to which the power of mutiny may go was more fully seen in the terrible troubles of the English fleet at Spithead, and afterwards at the Nore. Perhaps no event during the reign of George the Third seemed, for a while, more to endanger the empire, or threw the people into a deeper consternation. The wooden walls of England appeared to rock to their foundation, and the defences against the public enemy to be overturned. The King remained firm, but anxious ; while Parliament was in a state of fearful suspense, as if some great calamity impended over the land. These mutinies had a not unnatural origin in the shameful nature of the provisions which were supplied to the navy, in the injustice of impressment, in the hardships of the service, and the inadequate compensation which it received. The evil spirit first made itself manifest in the renowned Channel Fleet, under the command of Lord Howe, which was then fresh from the memorable victory of the 1st of June, 1794, and was composed of the largest, best-

manned, and what were deemed the finest, ships in the British navy, — fit bulwarks to the coasts of England against invasion. The seamen, by anonymous letters and round-robins, made their grievances known to Lord Howe, whom they called their “father”; but his Lordship, accustomed to the stern laws of war, seemed to look with indifference, if not contempt, on these informal expressions of discontent. At length, on the 15th of April, when the signal was made for the fleet to weigh anchor, the *Queen Charlotte*, the flag-ship, notorious for the laxity of discipline and the turbulence of the crew, manned her fore-shrouds and gave three cheers, an example which was immediately followed by the rest of the fleet. A deputation of four seamen from each ship assembled on board the *Queen Charlotte*, to determine the steps most suitable to the emergency, and to preside over the mutiny. A captain from among themselves was appointed on the fore-castle of each ship to keep watch, and to assert the power of the committee. The marines were disarmed, and the magazines seized. The officers were not allowed to go on shore, but were detained on board. Indeed, the admiral retained command of the fleet, with one restriction only, — that he should not put to sea until the seamen were satisfied.

After a correspondence between the Lords of the Admiralty and the delegates of the seamen, their demands were conceded. They next resolved to hold their authority until the King’s pardon was granted. Proclamation of pardon was then made to the fleet. A bill was hurried through Parliament, passing through all its stages in a single night, providing for the increase of the seamen’s pay; and Lord Howe was charged with extraordinary powers by the King to compose the alarming troubles. By the influence of his great name, by gentleness, and, more than all, by admitting, to a certain extent, the justice of their claims, the seamen were won back to duty; and, on the 17th of May, with renewed alacrity and good feeling, this powerful fleet put to sea in search of the enemies of their country.

While the mutiny at Spithead was dying away, a flame broke out in the fleet of the Nore, which was destined to rage with a wilder and more ungovernable fury. It found its first vent on board the flag-ship, the *Sandwich*. On the signal being given to prepare for sailing, the crew ascended

the rigging and gave three cheers, in token that they threw off the yoke of obedience to their officers, and declared themselves, for the time being, their own masters. They then held a council together, and appointed delegates for the government of the ship. The example of the *Sandwich* was followed throughout the fleet, and the authority of the officers completely overthrown. A manifesto, setting forth their grievances, was signed by the delegates of twenty ships of war; and this powerful armament, to which were soon added other ships from the North sea, was put in an attitude of defence, being moored in two lines of battle. A committee of delegates occupied the Admiral's cabin in the flag-ship; their table was covered with a union jack; a can of beer was placed on it; the members sat with their hats on, and ordered such captains as were summoned before them to be uncovered.

These extraordinary proceedings were sudden and unexpected. The author of the "*Naval History of Great Britain*,"* who was a lieutenant on board one of the ships that joined in the mutiny, and officer of the watch when it broke out, says :

"On board the *Agamemnon* little suspicion was entertained of an intention to mutiny, till the people had dined, when they were called by the boatswain's mate; but none appearing, a petty officer came and gave information, that the ship's company had retreated to the fore part of the lower deck, and refused to come up. The captain, being acquainted with this, desired the officer of the watch to accompany him down to speak to them. They went forward on the lower deck, and found the men had made a barricade of hammocks from one side of the ship to the other, just before the fore-hatchway, and had left an embrasure on each side, through which they had pointed two twenty-four pounders. These they had loaded, and threatened to fire in case of resistance on the part of the officers."

The organization on board the fleet was perfect. Rules

* *The Naval History of Great Britain from the Year 1789 to 1822*, by Edward Pelham Brenton, Esq., Captain in the Royal Navy, Vol. II. p. 423. "A composition," says the author of *The History of the Mutiny at Spithead and the Bore*, (p. 223,) "of neither weight nor value, and the gossiping nature of which only acquires an interest, in the particular case of the mutiny, from the fact of its author's having been a prisoner in the fleet at the time." The historian of the mutiny is the friend of the seamen, and writes almost with the spirit of a mutineer.

and orders were issued by the delegates, for the government of the fleet. The general superintendence and command were in the hands of Richard Parker, a supernumerary of the *Sandwich*, who had been impressed at —, and who was sometimes styled Admiral of the fleet, and at other times President. In the mean time, the Government took the most energetic steps. A proclamation was issued, offering pardon to all who should return to their duty. The coast was put in a state of defence. Sheerness was evacuated by its inhabitants, in order to afford accommodation for the garrison; troops poured in from all sides; a chain was thrown across the mouth of the harbour to close the entrance to the Medway; on Mr. Sheridan's suggestion, all the buoys and beacons were removed from the three channels leading to the Thames, so as to deprive the fleet of the customary guides in navigation; red-hot balls were ready to be used at a moment's notice; and the mutineers were publicly and officially branded as pirates and rebels.

The rebellious seamen now resorted to extreme measures. They put the mouth of the Thames, the avenue to the great commercial mart of the world, under blockade. The trade of the empire seemed to be in their hands; the argosies of India, and the heavy-laden merchantmen from every land, a forest of masts, were held spell-bound by their authority. A panic seized the nation; the three *per cent.* consols fell to, and remained at, forty-five and a half. Various fears occupied the public mind. The first was, lest the fleet should be surrendered into the hands of the French or the Dutch; the second, lest an attack should be directed against the arsenals and forts that lined the Thames and the Medway; the last, and perhaps the most urgent, lest the enemy's fleet should put to sea, calculating upon the disaffection of the seamen, and meet with no resistance. But the bad luck which waits on rebellion speedily ensued. Distrust and apprehension of consequences began to work a way towards reconciliation and submission. Several of the ships, braving the fire of the whole fleet, escaped, not without considerable damage, from the unholy confederacy. The signal for sailing was made by Parker, but not obeyed. No hand moved to weigh anchor or unfurl the sails. The fleet remained stationary, and this formidable mutiny, which seemed for a while to darken the whole land, gradually crumbled in

pieces. Ship after ship floated into the harbour, to receive the King's pardon. A reward was offered for the apprehension of Parker. On the morning of June 14th, the white flag, the sign of unconditional submission, replaced the red colors of rebellion, in nearly all the ships. A court-martial was speedily constituted, under whose decrees Parker, and many of his associates, suffered at the yard-arm. On the 11th of October of this year, Admiral Duncan led into action the lately mutinous fleet of the North Sea, and the victory of Camperdown entitled the seamen again to the gratitude of the country.

But the spirit of mutiny did not keep close by the shores of England. It crossed the sea, and entered the fleet occupied in the blockade of Cadiz, under the energetic command of Lord St. Vincent. It was fortunate for the British arms, that the double contest, with the public enemies without and the seamen within, fell to a commander of his intrepid character and great resources. One of the earliest and most melancholy manifestations of insubordination took place in the *Kingfisher*, commanded by Captain John Maitland. The crew refused to weigh anchor. The captain immediately singled out one of the ringleaders, and ordered him to be seized up for punishment ; but when this had been done, one of the petty officers went deliberately to the grating and cut the cords to release the prisoner. On this, Maitland drew his dirk, and laid the offender dead, or mortally wounded, on the deck. He also severely wounded two other men. He was well supported by his officers, and the mutiny was instantly quelled. He demanded a court-martial on himself for having put the man to death. It was granted, and he was acquitted ; but admonished to be more temperate in future.*

Other executions followed ; and the temper of the Admiral, as well as the magnitude of the emergency, may be estimated by his order to Sir William Parker, which we quote at length.

* It is said, that Lord St. Vincent did not participate in the feeling which dictated the admonition, and that he invited the members of the court-martial to dinner, and after the cloth was removed, gave as a toast, "Maitland's cure." This circumstance is given on the authority of his biographer (Brenton's *Life of St. Vincent*, Vol. I. 359) ; but it has been doubted, (London Quarterly Review, Vol. LXII. p. 439,) and, for the sake of humanity and decency, we trust that it does not darken the name of that great Admiral.

[SECRET.]

"Sir, — It being necessary to take every precaution against any attempt to defeat or delay the carrying of the sentence of the court-martial into execution on board the *Defence* this morning, I have ordered all the launches in the fleet fitted with caronades to have them mounted, and to hold them in readiness at a moment's warning; and should any resistance be made to carrying the sentence of the law into execution, (of which immediate notice will be given to you,) it is my directions that you assume the command of them, taking the captains of your division in their barges to your assistance, and *that you fire into that part of his Majesty's ship Defence where the persons resisting or opposing obedience to lawful commands may dispose of themselves, and continue your fire until they submit.*"

"ST. VINCENT.

"To Sir William Parker, bar't."

From these convulsions overmastering fleets, we pass to an outrage of a different character, which stands out as a conspicuous instance of the suddenness with which the force of mutiny may subdue a ship, and also of the retribution which is sure to fall upon the miserable offenders from the unsleeping power of the law. The *Hermione*, a frigate of the British navy, was cruising, on the evening of the 21st of September, 1797, off the west end of Porto Rico. Her commander, Captain Pigott, was a rough officer, whose orders seemed to be inspired by the worst spirit of the fore-castle, unchastened by the refinement of the quarter-deck, or the humanity which is the highest grace alike of the sailor and soldier. Some of the men were reefing the top-sails, when he called out that he would flog the last man off the mizzen-topsail-yard. The poor sailors understood the character of their commander, and felt that this was not an empty threat, although the chance of punishment would naturally fall on the outermost, and consequently the most exposed to danger. Each resolved to escape the threatened punishment, and two of them, who, from their position outside, could not reach the rigging, made a spring to get over their comrades. They missed their hold, fell on the quarter-deck, and were killed. This being represented to the captain, he is said to have made answer, "Throw the lubbers overboard."*

* This incident is given on the authority of Brenton's *Naval History*, Vol. II. p. 436. The other volume from which we draw the account of

In little more than twenty-four hours after this event, the mutiny broke out. Double-headed shot were thrown about the ship, and other disorderly acts committed. The first lieutenant went below to inquire into the cause of the disturbance. He was knocked down with a tomahawk, his throat cut, and his body thrown overboard. The captain had already retired to sleep, unconscious of danger. His fate we give in the words of a witness in court. "Hearing a noise upon deck, he immediately ran out of his cabin, when, being badly and repeatedly wounded, he was at length obliged to return. He had reached his cabin and was sitting on a couch, faint with the loss of blood, when four men entered with bayonets fixed. Crawley headed them. Captain Pigott, weak as he was, held out his dirk, and kept them off. They seemed for a moment appalled by the sight of their commander, when Crawley exclaimed, 'What! four against one, and yet afraid? Here goes, then,' and buried his bayonet in the body of Captain Pigott. *He was followed by the others, who with their bayonets thrust him through the port, and he was heard to speak as he went astern.*" The second lieutenant was now dragged across the deck, stretching out his hands and crying, "Mercy! mercy!" After receiving many wounds, he was drawn up the ladder by the hair of his head, to be thrown overboard. It was then that his own servant rushed upon him with a hatchet in his hand, crying out, "Let me have a cut at him"; on saying which he dreadfully wounded his own master. The lieutenant of marines, though sick in his cabin, was taken and thrown overboard. The other officers, nine in number, were cut to pieces.

"Confusion now had made his master-piece!"

The flag of St. George descended from the mast-head; and the mutineers took possession of the ship, which they conducted to the Spanish port of La Guaira, and surrendered to the government, Spain being at that time at war with England.

But the doom of the pirate is inevitable. He is pursued,

this mutiny, says nothing with regard to the words used by the captain. *Annual Register*, Vol. XL. p. 4; Vol. XLII. p. 27. Such inhuman conduct is stranger than the fictitious, and apparently improbable scenes, by which Smollett has held the naval service up to detestation in "Roderick Random."

as if by the inexorable Fate of the ancients. There is no recess of the ocean, no pathway on the waters, where he can find shelter. The arm of modern civilization is more searching even than that of Rome, in the days of her greatest power, when the unfortunate victim sought in vain, on the distant shores of the Caspian, or, far away from the sun, in Britain, to hide himself from the vengeance of the Emperor. The law of the civilized world treats the pirate as the common enemy of men. It fastens on him a wolf's head, and he is hunted to the uttermost parts of the sea. One by one, or in small numbers together, the crew of the *Hermione* fell into the hands of the government of their country, and were brought to trial. Some were executed at Portsmouth; others in the ports of St. Domingo; and the remains of many for a long time swung from gibbets on the sandy keys at the entrance of Port Royal harbour, in the island of Jamaica. No long period elapsed, before the frigate, which had been the scene of this appalling outrage, by a remarkable act of naval hardihood, was cut out of the harbour of Porto Cavallo, where she was lying under the shelter of two hundred pieces of cannon mounted on the batteries, and again restored to the British navy under the name of the *Retribution*.* Afterwards, at Portsmouth, some of her former crew, convicted of piracy, suffered death at her yard-arm.

The melancholy history of the *Hermione* does not close the catalogue of these misfortunes in the British navy. The fate of the *Lady Jane Shore*, a transport ship, in 1798, is another illustration of the suddenness with which the doom of blood may descend upon the unfortunate officers of a ship. When four days from Rio de Janeiro, a part of the crew rose in the night on the second mate, who was on watch. He found resistance to so many armed men to be in vain, and submitted in order to save his own life. The mutineers then entered the cabin of the chief mate, and murdered him in the most savage manner, cutting off his head. They proceeded to the round-house, where the captain was, and demanded admission, which he refused, and, on their further persisting, fired a pistol at them through the door. They instantly broke the door in pieces and murdered him, it is said, with every circumstance of cruelty. Eleven persons

* *Annual Register*, Vol. XLII. p. 69.

were put into the long-boat, with a compass, and turned adrift; but they arrived safe at Rio de Janeiro.* Of the subsequent fate of these mutineers, we do not find any trace. We cannot doubt, however, that they suffered the judgment of law for their crime.

The reader, who has followed us thus far, will have supped full of horrors; and we have not the heart, if the materials were within our reach, to add to the disagreeable banquet. We do not doubt that many more instances might be produced, which would throw light on the origin and character of mutinies. Thus we find in a periodical publication of high authority,† under the chronicle of intelligence for the year 1800, this brief note: "With great concern we have to notice a mutiny on board his Majesty's ship *Danaë*, which has been carried into Brest by the villains who obtained possession of her." Here was another national ship wrested from Government by the parricidal hands of its own sons. The melancholy fate of the officers we are left to imagine. Were they butchered and thrown into the sea? were they turned adrift in a small boat with a scanty supply of food? or were they confined as prisoners in the ship, which, under a commission from their sovereign, they had once commanded, and, as prisoners, delivered to the enemies of their country?

The instincts of our nature cannot fail to be aroused by the recital of such catastrophes. We feel for the unhappy sufferers, suddenly overcome by a cruel fate, which they could not foresee, and which they were impotent to control. We would offer them our sympathy; but they have, perhaps, passed where that cannot follow. It is, therefore, in accordance with the feelings of humanity, that, by the law and usage of the nations of the earth, mutiny is held in the greatest abhorrence. The laws of Solon stamped all who participated in it as *infamous*. By the laws of the modern world it is punished with death. The articles of war of the United States‡ expressly declare: "If any

* *Annual Register*, Vol. XL. p. 60.

† *Ibid.*, Vol. XLII. p. 6.

‡ Act of Congress, 23d of April, 1800, § 1, article 13th. By the act of 19th of May, 1832, certain commissioners were authorized to revise and enlarge the rules and regulations of the naval service, with the view "to adapt them to the present and future exigencies of this important arm of national defence." We are not aware that any report has been made by the

person in the navy shall make, or attempt to make, any mutinous assembly, he shall, on conviction thereof by a court-martial, suffer death." This provision was borrowed, almost in its very words, from the articles of war established by the British Parliament as long ago as 1749. No discretion is left with the court-martial. There is but one punishment, and that is death.

In the course of our survey, we have already found at least one instance in which the officer did not await the tardy results of a court-martial, but took upon himself the responsibility of inflicting, without any resort to legal process, the doom appointed by the law. The case of Lord Camelford, which we shall now present, recognizes the right of the officer to act for himself in such an emergency, even where the circumstances were by no means of a very pressing character. The following account is taken from the Annual Register for 1798.

"Lieutenant Peterson, of his Majesty's ship *Perdrix*, has been lately shot by Lord Camelford. The circumstances of this new catastrophe in our annals of naval transactions are as follows: Lord Camelford has the rank of master and commander, and has the command of his Majesty's sloop of war, the *Favourite*. The *Favourite* and *Perdrix* were lying in English Harbour, on Saturday, the 15th of January, at which time Captain Fahie, of the *Perdrix*, was absent in St. Kitts. Mr. Peterson was first lieutenant of the *Perdrix*. Lord Camelford, as being commanding officer at that time in English Harbour, ordered Lieutenant Peterson to row guard in the harbour for that night. This order Lieutenant Peterson refused to obey, Captain Fahie being Lord Camelford's senior officer, and his Lordship having, therefore, in his opinion, no right to give the order. Both ships were hauled alongside the dock-yard, repairing, and the companies of each ship collected round the party in the dock-yard, where the altercation began. Many words passed between the lieutenant and his Lordship, but still Mr. Peterson refused to obey. About twelve

commissioners, so that our navy is still governed by the old articles of 1800. These are copied in many most important respects, often even in the language, from the British articles of 1749. The rigor of the latter, which is not invariably preserved in ours, has excited the warmest indignation in a British writer; and complaint is made that these articles, though framed as far back as 1749, remain unaltered to this day. (*History of the Mutiny at Spithead and the Nore*, p. 305.) We trust that the delay of our commissioners will not justify such complaints in the naval service of the United States.

of the crew of the *Perdrix* came to the spot armed, in a few minutes afterwards ; and Lord Camelford brought six of his marines to the place, armed also. Mr. Peterson now drew up his men in a line, and he stood at their head with his sword by his side ; Lord Camelford also drew up his six men in a line fronting the *Perdrix's* people, and distant about four yards. His Lordship then quitted the place for about two minutes, and returned with a pistol in his hand, which he had borrowed of an officer of the yard. Mr. Peterson was standing at the head of his men, as before, with his sword drawn, the point of it resting on the ground ; in this position Lord Camelford went up to him with his pistol in his hand, and said, ' Do you still persist in refusing to obey my orders ? ' To which the lieutenant answered, ' Yes, I do refuse.' On which Lord Camelford immediately clapped the pistol to his right breast, and fired. Mr. Peterson fell on his back immediately, and never spoke a word more, or moved, as the ball went entirely through his body. His corpse was then carried into the capstan-house, where Lord Camelford attended, and examined the body. The armed part of the crews of the two ships quietly went aboard their own ships ; and Lord Camelford gave himself up as a prisoner to Captain Matson of the *Beaver*, sloop of war, in which ship he was carried up to the admiral, in Fort Royal Bay, and there tried and acquitted. His Lordship gave in a very admirably written defence, containing eighteen pages, very closely written." — Vol. XL. pp. 10, 11.

The court-martial was assembled on board the ship *Invincible*, in Fort Royal Bay, Martinique, the 20th of January, 1798, and held by adjournment every day afterwards, Sunday excepted, until the 25th. From the length of time occupied, so unusual in the despatch of English court-martials, it would seem that the case received a proper share of attention. The court was composed of five officers of the rank of captain. In their sentence they say, that,

" Having heard the whole of the evidence adduced on the occasion, and what the prisoner had to offer in his defence, and maturely and deliberately weighed and considered the same, and *being fully sensible of the necessity of prompt measures in cases of mutiny*, they are unanimously of opinion, that the very extraordinary and manifest disobedience of Lieutenant Peterson, both before and at the instant of his death, to the lawful orders of Lord Camelford, the senior officer at English Harbour at that time, and the violent measures taken by Lieutenant Peterson to resist the same, by arming the *Perdrix's* ship's company, were

acts of mutiny highly injurious to his Majesty's service. The court do, therefore, unanimously adjudge that the Right Honorable Lord Camelford be honorably acquitted, and *he is hereby unanimously and honorably acquitted accordingly.*"*

In the early history of our own navy, we find an instance of an emergency which did not brook the law's delay. It occurred on board of the ship of that brave commander, who was first distinguished in the naval service of his country, and at a later period as its representative at a foreign court, and to whose memory the funeral gun and the flag at half-mast have only recently rendered the last naval honors. We give the narrative of this transaction from an authentic source.†

"While the *Essex* was lying at the Marquesas Islands, recruiting and refreshing her crew from one of the long and arduous cruises in the Pacific, Commodore Porter was informed, through

* It is to the credit of the author of the *Naval History of England*, (Vol. II. pp. 439, 440,) that he was not blinded by the rank of the offender in this case, as the court-martial seems to have been. The necessity of prompt measures, in the case of mutiny, is the ground-work of the sentence. This cannot be exaggerated. But was the conduct of the noble commander free from the imputation of malice and passion? Were the circumstances, on this occasion, of the pressing and overruling character to justify him in anticipating the course of the law? Did there *appear* to be any imminent danger to himself or his crew, or the honor of his flag? This instance of summary punishment, on grounds apparently insufficient, does not stand alone in the annals of the British navy. It is said, that a commander, whose services were of sufficient dignity to be rewarded with a peerage, took away the life of a man in the following manner. His crew had come aft upon the quarter-deck to complain of the badness of the wine, which at this time was served out on board the fleet, when rum, which the sailors much preferred, was not procurable. After the first or second complaint, the officer hailed another ship in the same fleet, to know if any complaint had been made of their wine, which had been served out at the same time? The answer was, No. On the following day, one of the crew appeared on the quarter-deck to repeat the complaint. *The commander drew his sword and ran the complainant through the body!* He had suddenly found that he was guilty of the crime of mutiny. We do not wonder at the bitterness with which the writer on whose authority we give this outrage (*History of the Mutiny at Spithead and the Nore*, p. 152) alludes to such a violation of law and of humanity. With such precedents in their service, it is not difficult to infer the sense of the British navy, the navy of the largest experience the world has ever seen, with regard to the manner in which the authority of the officers of a ship should be upheld against the slightest approach to mutiny. Like tyranny, "it should be snuffed in the coming breeze."

† It is from the Appendix to the lively volume entitled "*A Gallop among American Scenery, or Sketches of American Scenes and Military Adventure*," by AUGUSTUS E. SILLIMAN." From knowledge within our reach we place implicit confidence in the accuracy of the above narrative.

a servant of one of the officers, that a mutiny had been planned, and was on the eve of consummation ; that it was the intention of the mutineers to rise upon the officers, — take possession of the ship, — and, after having remained as long as they found agreeable at the island, to hoist the black flag and ‘cruise on their own account.’ — Having satisfied himself of the truth of the information, Commodore Porter ascended to the quarter-deck, and ordered all the crew to be summoned aft. Waiting till the last man had come from below, he informed them that he understood that a mutiny was on foot, and that he had summoned them for the purpose of inquiring into its truth. — ‘Those men who are in favor of standing by the ship and her officers,’ said the commodore, ‘will go over to the starboard side, — those who are against them will remain where they are.’ The crew, to a man, moved over to the starboard side. The ship was still as the grave. Fixing his eyes on them steadily and sternly for a few moments, the commodore said, — ‘Robert White, — step out.’ The man obeyed, standing pale and agitated — guilt stamped on every lineament of his countenance — in front of his comrades. The commodore looked at him a moment, — then, seizing a cutlass from the nearest rack, said in a suppressed voice, but in tones so deep that they rung like a knell upon the ears of the guilty among the crew, — ‘Villain ! — you are the ringleader of this mutiny, — jump overboard !’ The man dropped on his knees, imploring for mercy, — saying that he could not swim. ‘Then drown, you scoundrel !’ said the commodore, springing towards him to cut him down, — ‘overboard instantly !’ — and the man jumped over the side of the ship. He then turned to the trembling crew, and addressed them with much feeling, — the tears standing upon his bronzed cheek as he spoke. He asked them what he had done, that his ship should be disgraced by a mutiny. He asked whether he had ever dishonored the flag, — whether he had ever treated them with other than kindness, — whether they had ever been wanting for any thing to their comfort, that discipline and the rules of the service would allow — and which it was in his power to give. At the close of his address, he said, — ‘Men ! — before I came on deck, I laid a train to the magazine ! — and I would have blown all on board into eternity, before my ship should have been disgraced by a successful mutiny, — I never would have survived the dishonor of my ship ! — Go to your duty.’ The men were much affected by the commodore’s address, and immediately returned to their duty, showing every sign of contrition. They were a good crew, but had been seduced by the allurements of the islands, and the plausible representations of a villain. That

they did their duty to their flag, it is only necessary to say, that the same crew fought the ship afterwards against the *Phebe* and *Cherub*, in the harbour of Valparaiso, where, though the American flag descended, — it descended in a blaze of glory which will long shine on the pages of history. But mark the sequel of this mutiny, — and let those, who, *in the calm security of their firesides*, are so severe upon the course of conduct pursued by officers in such critical situations, see how much innocent blood would have been saved, if White had been cut down instantly, or hung at the yard-arm. As he went overboard, he succeeded in reaching a canoe floating at a little distance, and paddled ashore. Some few months afterwards, when Lieutenant Gamble of the Marines was at the islands, in charge of one of the large prizes, short-handed and in distress, this same White, at the head of a party of natives, attacked the ship, killed two of the officers and a number of the men, and it was with great difficulty that she was prevented from falling into their hands. The blood of those innocent men, and the lives of two meritorious officers, would have been spared, if the wretch had been put to instant death, — as was the commodore's intention."

pp. 261 – 264.

We join with this earnest writer in urging all who, in the calm security of their firesides, are disposed to judge ungenerously the conduct of officers placed in circumstances of such emergency, to consider well the consequences of a failure to sustain the command of the ship, and the probable effect of energetic action in securing it in the hands where it rightly belongs. The cases which we have now brought together cannot fail to leave a strong impression on the mind. They teach at least one lesson, which the faithful commander should not forget, except on peril of the highest misfortune. It is, that the outbreak of mutiny may be sudden, unexpected, and overwhelming, even among a crew that has given no previous sign of disaffection. Perhaps we may go further, and draw from them a rule of conduct, which shall vindicate the exercise of the most summary authority in subduing this spirit of evil. The small vapor, hardly perceptible as it first issued from the little box drawn up by the net of the poor fisherman in the "Arabian Nights Entertainments," by degrees rose in the air, and swelled in magnitude as it rose, till it assumed the form of a genie of gigantic proportions, no longer to be restrained within the narrow limits from which it had escaped. Such is the spirit of mutiny ;

and woe to the unfortunate commander, who, in a moment of irresolution, or through fear of exercising a power corresponding to the stern necessities of the occasion, allows the small vapor to swell till it stalks like a giant over the ship !

For the present, we leave all the considerations suggested by this historical examination, and hasten to the immediate subject before us. The affair of the Somers will stand out conspicuously in the naval history of the country, as well for the singular atrocity of the conception of the mutiny, as from the character of its chief instigator, and the summary and painful way in which it was suppressed. The annals of the world do not afford a more impressive scene than that of the young commander of a small ship, away from his country, at sea, in the exercise of what he believed to be a solemn duty, ordering the execution, at the yard-arm, of a brother officer,* the son of a distinguished Minister of State. At the risk of repeating a more than thrice-told tale, we proceed at once to give a narrative of this event, which we shall make as brief as possible, endeavouring simply to present the facts that are essential to enable us to determine the responsibility of Commander Mackenzie for an act, in many respects, without precedent in naval history.

The *Somers*, a brig of war of the United States, sailed from New York on the 12th of September, 1842, under the command of Commander Alexander Slidell Mackenzie, an officer, who, though not yet arrived at the honors of seniority, had partaken in the toils of the sea, in the service of his country, for nearly thirty years. To a distinguished name in his profession, he joined honors obtained in other fields of exertion ; and the fame of the successful author enhanced the well-deserved reputation of the officer. The brig was small, of two hundred and sixty-six tons by measurement, though so sharply built that she carried only one hundred and twenty ; a very swift sailer, with raking masts, and pierced for fourteen guns, though mounting only ten. Her crew consisted of one hundred and twenty men, of whom twelve were officers, nine ordinary seamen, six lands-

* The language of Livy on a memorable occasion is not inappropriate. *Conspicius eo, quod pœnæ capiendæ ministerium illi imposuit, et qui spectator erat amovendus, eum ipsum fortuna exactorem supplicii dedit.* Lib. II. 5. We intend to apply these words to the unhappy situation of the commander.

men, and the remainder, apprentice boys, between the ages of thirteen and eighteen years. They had nearly all been detached from the receiving ship *North Carolina*, lying at the port of New York, on board of which was the naval school. Holding the rank of midshipman, among the officers was Philip Spencer, son of Mr. Spencer, at that time Secretary of War, and a conspicuous member of the cabinet of President Tyler. It appears, that, before sailing, Commander Mackenzie had heard of previous misconduct on the part of Spencer, which inclined him to look unfavorably upon his character, and to desire his removal from the *Somers*. On the Brazilian station he had wantonly insulted an English midshipman, in a freak of drunkenness, and been otherwise involved in difficulties, on account of which he was dismissed from the squadron, and incurred the severe censure of the Navy Department. It is said, that, at this time, only the interference of friends and his own promises of amendment saved him from the action of a court-martial, and expulsion from the service. "The circumstance," says Commander Mackenzie, "of his connexion with a high and distinguished officer of the Government, by enhancing, if possible, his baseness, increased my desire to get rid of him. On this point I beg that I may not be misunderstood. I revere authority, and, in this republican country, I regard its exercise as an evidence of genius, intelligence, and virtue. But I have no respect for the base son of an honored father." Subsequent events developed too clearly the wisdom and discretion of the commander, in desiring Spencer's removal. This, however, did not take place, and the brig sailed with seven in the steerage, which was fitted to accommodate only five persons. Her destination was the coast of Africa, where she was to convey despatches to the sloop of war *Vandalia*, and to join that vessel in protecting our commerce from molestation in that quarter.

On her outward passage, as far as Madeira, the usual regularity and order prevailed. The crew appeared to be under good discipline; the rules of the service were rigidly enforced; its exercises, such as firing at targets, and manœuvring the guns, were strictly attended to, and the brig was in as good and effective a condition as could have been expected, seeing that the crew was made up,

to so great an extent, of young apprentices. Spencer did his duty, and was treated by the commander, like the other midshipmen. Perhaps, the commander says, he had re-proved Spencer somewhat less than the others, for slight deviations from the line of duty, because he had little hope of essentially serving one who had proved to be so decidedly his own enemy. It was observed, that he was in the habit of associating very little with the other officers, but was continually intimate with the crew. He was in the habit of joking with them. He seemed to shun with care the company of his superiors, while he courted that of the older boys, and the ordinary seamen of the vessel, giving them occasionally money, and endeavouring to amuse them and attach them to himself. He drew from the purser a large quantity of tobacco and cigars, far more than any other officer, which he distributed among the apprentices and seamen, whose favor he seemed desirous to secure. On the day before leaving New York, he gave money to Small, an ordinary seaman; on the passage out, he gave money to Cromwell, the boatswain's mate,—at one time fifteen dollars; and he also corrupted the ward-room steward, and induced him, at different times, to steal brandy, which he drank himself, and distributed among his favorites of the crew.

After the *Somers* stopped at Madeira, on her passage to the coast of Africa, a change seemed to take place in the conduct of the crew, and the influence of Spencer appeared to be gaining an ascendancy. In conversation he often betrayed his desire to have command of a vessel of his own. At the same time, his intimacy with Cromwell, Small, and others of the crew, was observed to increase. His manner towards his messmates became more reserved; but among the crew he was loud and blasphemous in his abuse of the commander, declaring that it would give him real pleasure to roll that officer overboard from the round-top. This, however, was not known at the time to the commander, in intercourse with whom Spencer was servile to the last degree. Space will not allow us to point out all the germs of the conspiracy which was meditated, and we come at once to its final discovery.

With the purser's steward, James W. Wales, the commander once had a trifling difficulty, which probably led

Spencer to believe that this person could be drawn over to his designs. The attempt to do this resulted in the discovery of the plot. The brig had left Cape Palmas on the eleventh of November, for the United States, intending to stop at St. Thomas, in order to take in a fresh supply of provisions and other necessities. On the night of the twenty-fifth of November, between six and eight o'clock in the evening, Wales states that he was standing forward by the bits, when Spencer came up, and, after a few remarks about the weather, requested him to get on top of the booms, as he had something very important to communicate. Wales accordingly, contrary to a regulations of the ship, mounted the booms with him, and, after taking an oath of the most solemn secrecy, which, to his astonishment, was prescribed by Spencer with great seriousness, he obtained from the latter a full account of his plans. According to this account, Spencer was then leagued with about twenty of the brig's company to take the brig, murder all her officers, and enter upon a career of piracy. The plan and stations of the men were arranged in a paper concealed in his cravat. He requested Wales to feel of his neck-handkerchief, who says that there was a rumpling which showed that there was paper in the back part of it. The affray was to be commenced some night when Spencer had the mid-watch. Several of his men would engage in a fight on the fore-castle. He was to order them up to the mast, and, under pretence of settling the difficulty, to call Mr. Rogers, the officer of the deck, whom they were to seize, as soon as he came to the gangway, and throw overboard. They would then have the brig in their own possession. The keys of the arm-chest, he said, he could lay his hands on at any moment. This was to be opened and the arms distributed. He was next to station his men at the hatches to prevent any one from coming upon deck, and then to proceed to the cabin and murder the commander with the least noise possible. He was then, with some of his men, to penetrate to the ward-room, and there murder the officers. The officers of the ward-room, he said, had no arms, except the first lieutenant, who had an old cutlass, which he should take care to secure, before the affray commenced. This accomplished, he said he should go on deck, and cause the two after-guns to be slued round, so as to command the vessel from a raking

position. He would then cause all the crew to be called up, and select from them such as would suit his purposes. The remainder, particularly the small boys, he should cause to be thrown overboard, as useless consumers of biscuit. This done, the brig was to proceed to Cape San Antonio, or to the Isle of Pines, and there take on board one who was familiar with their intended business, and who was ready and willing to join them. Then was to commence the career of piracy. Spencer seems to have dwelt with complacency upon the course to be pursued, and the pleasures to be enjoyed. Prizes were to be captured; and after taking from them whatever would be of use, all on board were to be murdered, except the women reserved for a more brutal purpose, and the ships scuttled, so that no tale of their fate should reach the shore.

It seems, that at this relation Wales was too much astonished to make any reply. Spencer then called up Small, the seaman with whom he had been intimate through the voyage. He addressed him in Spanish; but Wales could not tell, as he did not understand the language, what they were talking about. Small looked surprised, however, at what was told to him. Spencer then remarked in English, "O, you need not be under any apprehension or fear on his account, as I have sounded him pretty well, and find him one of us." Small seemed pleased, and remarked that he "was very glad to hear it." He was then called away about his duty. Before going, Spencer remarked, that he should have the mid-watch that night, and wished to have some further conversation relative to their plans. He desired Small, in the mean time, "to see *that* foretopman," without naming him. Spencer then made overtures to Wales, and offered, if he would join in the conspiracy, to give him the post of *third* officer in command. He then asked Wales what he thought of the project; to which the latter replied, thinking it prudent to dissemble in order to gain further information, that he was favorably disposed to it. Spencer remarked, that they would have another interview on the next day, when he would exhibit the plan which he had drawn up. He followed Wales to the gangway, saying, that if he lisped a syllable of what had been communicated to him, he should be murdered, either by Spencer himself, or by other persons engaged in the plot; that, go where he might, his life would not be worth a straw.

Wales promised secrecy ; but resolved at once to communicate to his commander all that he had heard. He found himself so closely watched by Small and Spencer, that he was foiled in his attempts that night ; but, the next morning, he succeeded in imparting it to the purser, Hieskell, who related it to Lieutenant Gansevoort, by whom it was communicated to the commander. The latter received the communication with great coolness, and expressed doubts of its truth. In his official despatch, he says, that the whole affair seemed to him so monstrous, that he treated it with ridicule. His impression was, that Spencer had been amusing himself and Wales with some mere story of piracy and murder. He directed the lieutenant, however, to keep a careful watch upon Spencer, and to report every thing that appeared suspicious in his movements. At a later period of the day, the lieutenant, who had been an anxious observer of what passed, urged upon the commander the necessity of taking some active measures. The latter still replied, that he wished to do nothing hastily ; that they would keep a sharp look-out, and, when the drum beat for evening quarters, decide what course it was best to pursue.

We cannot fail to notice the judgment and coolness evinced by the commander, on receiving this astounding information. To one familiar, as he was, with naval history, the incidents of former mutinies could not have been unknown ; and he must have seen, in the project of Spencer, many features corresponding with the melancholy events which have already occupied so much of our attention. He could not have forgotten the fate of the officers of the *Bounty*, whose power was overthrown by one man, in the twilight of the morning ; and that of the officers of the *Hermione*, butchered and thrown overboard, and the captain murdered in his cabin.

On the drum beating to quarters, in the presence of all the officers on the quarter-deck, the commander directed the lieutenant to arrest Spencer and place him in irons, ordering, further, that he should be put to instant death, if he was detected in speaking to, or holding communication with, any of the crew. Spencer was searched ; but nothing was found upon him except a few scraps of paper. On searching his locker, however, a razor-case was found, and, inside of it, a piece of white paper, on which were written what ap-

peared to be strange characters, but which proved to be Greek, of which language Spencer had some knowledge.* This paper was read by Midshipman Rogers, and converted into English characters as follows.

"*Certain* — P. Spencer, Andrews, McKinley, Wales.

"*Doubtful* — Wilson,* McKie,* Warner,* Green,* Gedney,* Wilzer, Sullivan, Godfrey, Gallia,* Howard.

"To be kept, *volens volens* — Sibble, Strummer, Scott, Van Brunt, Smith, Whitmore, Gazeley, Blackman, Waltham, Rodman, Clark, Nevers, Selzer, Corning, Richardson, the Doctor, Guevan.

"Those marked doubtful, with a cross opposite their names, will probably join before the plot is carried into execution. The remainder marked doubtful will probably join when the thing is done; if not, they must be forced.

"Any not marked down who may wish to join after the thing is done, we will pick the best out and dispose of the rest.

"*Wheel* — McKie.

"*Arm-chest* — McKinley.

"*Cabin* — Spencer, Small, Wilson.

"*Ward-room* — Spencer.

"*Steerage* — Spencer, Small, Wilson."

Small, as has been already seen, was an accomplice of Spencer. Various circumstances, which have been grouped together with great force in the defence of Commander Mackenzie before the court-martial, directed the suspicions of the officers towards Cromwell. Both of these persons were accordingly placed under arrest, on the 28th of November. The anxieties of the officers continued to increase. The crew gathered, from time to time, in knots. Spencer was observed endeavouring to hold intelligence with some of them. On the 30th of November, four others, McKie, McKinley, Wilson, and Green, were placed under arrest.

* Descending from the gravity of the text, we may be permitted to express our astonishment, that, among the various attempts of a malevolent press to throw odium and ridicule upon Commander Mackenzie, no allusion has been made to the paper in Greek characters, which was, in part, the foundation of the proceedings against Roderick Random on shipboard. "What you are pleased," says he, "to call ciphers are no other than Greek characters, in which, for my amusement, I kept a diary of every thing remarkable that has occurred to my observation, since the beginning of the voyage, till the day on which I was put in irons." "A very likely story!" cried Mackshane; "*what occasion was there for using Greek characters, if you were not afraid of discovering what you had wrote?*"

The prisoners, now amounting to seven, were all confined on the quarter-deck. Owing to the contracted dimensions of the brig, there was no other place on board, which was more secure against an attempt at a rescue. But here it was difficult to prevent them from communicating with each other, and they interfered essentially with the management of the vessel. At the time they were confined, it was the evident intention of the commander to take them to the United States, to be delivered up to the justice of their country. To effect this desired object, he was considered by the Court of Inquiry to have tried every measure that a brave, prudent, and skillful officer could adopt. But, during the confinement of the prisoners, sullenness, discontent, inattention to duty, disobedience to orders, often — as seamen know, and naval records establish — the precursors of open acts of violence, were manifested by the crew.

Feeling the necessity of immediate action, and desiring all the counsel the officers of the vessel could give him, in the very responsible situation in which he was placed, the commander, on the 30th of November, addressed to his officers a letter, in which he called upon them to take into deliberate and dispassionate consideration the present condition of the vessel, and the contingencies of every nature throughout the remainder of the cruise, and to furnish him their united counsel, as to the course proper to be pursued. Immediately on the receipt of this letter, they assembled in the ward-room, and commenced the examination of witnesses. These were duly sworn, and their testimony written down, and subscribed by each witness, after it had been read over to him. The officers passed the whole day in the performance of this duty, without interruption and without food. The commander remained in charge of the deck, with the three young midshipmen on constant duty. On the morning of Thursday, the 1st of December, the officers again assembled in the cabin, and, after a further consultation, addressed the commander the following letter, expressing their unanimous opinion, that the safety of the brig required the immediate execution of Spencer, Cromwell, and Small.

“U. S. Brig Somers, December 1, 1842.

“Sir: In answer to your letter of yesterday, requesting our counsel as to the best course to be pursued with the prisoners,

Acting Midshipman Philip Spencer, Boatswain's Mate Samuel Cromwell, and Seaman Elisha Small, we would state, that the evidence which has come to our knowledge is of such a nature, that, after as dispassionate and deliberate a consideration of the case as the exigency of the time would admit, we have come to a cool, decided, and unanimous opinion, that they have been guilty of a full and determined intention to commit a mutiny on board of this vessel of a most atrocious nature, and that the revelation of the circumstances having made it necessary to confine others with them, the uncertainty as to what extent they are leagued with others still at large, the impossibility of guarding against the contingencies which 'a day or an hour may bring forth,' we are convinced that it would be impossible to carry them to the United States, and that the safety of the public property, the lives of ourselves, and of those committed to our charge, requires that (giving them a sufficient time to prepare) they should be put to death, in a manner best calculated, as an example, to make a beneficial impression upon the disaffected. This opinion we give, bearing in mind our duty to our God, our country, and to the service.

"We are, Sir, very respectfully, your obedient servants,

"GUERT GANSEVOORT, Lieutenant.

"R. W. LEECOCK, Passed Assistant Surgeon.

"H. M. HIESKELL, Purser.

"M. C. PERRY, Acting Master.

"HENRY ROGERS, Midshipman.

"EGBERT THOMPSON, Midshipman.

"CHARLES W. HAYS, Midshipman."

And now we advance to the conclusion of this melancholy affair. The commander concurred in the opinion of his officers. The three chief mutineers were the only persons capable of navigating the vessel, and their execution would leave the rest without knowledge or confidence. By their execution, the very eye of the mutiny would be put out, and the monster left dispirited to grope in darkness.

We will not dwell on the painful scene which ensued. The three prisoners were executed on the 1st of December, 1842, in latitude $17^{\circ} 34'$, and longitude $41^{\circ} 34'$. At the time of the execution, the brig was, by the log, five hundred and twenty-five miles distant from St. Thomas, at which place she arrived on the 5th of December.

Previous to their death, Spencer and Small both confessed their guilt, in the presence of the officers and crew, and acknowledged that their punishment was just. Spencer added, that he had attempted a mutiny on board the two

national vessels in which he had last sailed, and that his piratical propensity was a sort of mania.*

On his arrival at New York, Commander Mackenzie asked for a Court of Inquiry on his conduct. This court was composed of three officers, than whom none are more distinguished in our naval service ; Commodore Stewart as president, Commodore Dallas, and Commodore Jones. With these the Hon. Ogden Hoffman was associated as Judge Advocate ; and it is not too much to say, that his character and peculiar fitness for the post added to the consideration to which the court was entitled. They were authorized to inquire into all the facts touching the alleged mutiny on board the *Somers*, and the conduct of Commander Mackenzie in ordering the execution of Spencer, Cromwell, and Small, and to report to the Department their opinion as to the right and propriety of those proceedings. During nineteen days, they faithfully and laboriously examined every officer, seaman, and apprentice, belonging to the *Somers*, with the exception of ten of the crew who were in confinement. Their unanimous opinion was as follows.

“That a mutiny had been organized on board the United States brig *Somers*, to murder the officers and take possession of the brig.

“That Midshipman Philip Spencer, Boatswain’s Mate Samuel Cromwell, and Seaman Elisha Small, were concerned in, and guilty of, such mutiny.

“That, had not the execution taken place, an attempt would have taken place to release the prisoners, murder the officers, and take command of the brig.

“That such attempt, had it been made in the night, or during a squall, would, in the judgment of the Court, from the number

* Just before his execution, Spencer requested that he might be shot. In refusing this wish, the commander was justified by the usage of the navy. An officer of eminent rank in the navy is sentenced to be shot ; but an inferior officer, or seaman, is hanged at the yard-arm. Whereas, in the army, a soldier is shot for a military offence, unless in the case of spies. The reason assigned for this distinction would hardly be recognized as valid in the navy. It is, that death by being shot is less ignominious than hanging, and more befitting a man who is continually exposing his life for his country. See *Delafons on Naval Courts-Martial*, p. 271. But do not the sailor and officer in the navy equally expose their lives for their country ? A more reasonable cause of the difference would seem to arise from the inherent difficulty of carrying a sentence by shooting into execution on board a ship at sea, and the facility for the other mode of execution afforded by the ropes and yards.

and character of the crew, the small size of the brig, and the daily decreasing physical strength of the officers, occasioned by almost constant watching and broken slumbers, have been successful.

"That Commander Mackenzie, under these circumstances, was not bound to risk the safety of his vessel, and jeopard the lives of the young officers and the loyal of his crew, in order to secure to the guilty the forms of trial; and that the immediate execution of the prisoners was demanded by duty and justified by necessity.

"The Court are further of opinion, that throughout all these painful occurrences, so well calculated to disturb the judgment and try the energy of the bravest and most experienced officer, the conduct of Commander Mackenzie and his officers was prudent, calm, and firm, and that he and they honorably performed their duty to the service and their country."

Before the communication of this opinion to the Secretary of the Navy, he caused the commander of the *Somers* to be arrested on a charge of murder. There were three specifications, all of which were but variations of one and the same charge, that the execution was directed and carried into effect without justifiable cause. A Court-martial was convened, at the navy-yard in Brooklyn, for the trial. It consisted of the following officers; Commodore John Downes, president; Commodore George C. Read; Captains William C. Bolton, Daniel Turner, John D. Sloat, Joseph Smith, George W. Storer, Isaac McKeever, Benjamin Page, John Gwinn, Thomas W. Wyman; Commanders Henry W. Ogden, Irvine Shubrick. The Judge Advocate was William H. Norris, of Baltimore.

They commenced their sessions on the 2d of February, 1843. After the Judge Advocate had concluded the reading of the charges and specifications, Commander Mackenzie rose and said, "Spencer, Cromwell, and Small were put to death by my order; but to the charges and specifications I plead not guilty." He was allowed counsel; and Mr. Griffin, Mr. Duer, and Mr. Sedgwick acted in this capacity. The Court was occupied in the hearing of this cause for upwards of forty days; a longer period, we are disposed to believe, than was ever before consumed by any such proceeding in naval annals.* By their final report,

* The momentous trial of Admiral Byng commenced the 28th of December, 1756, and continued till January 27th, 1757.

Commander Mackenzie was *honorably acquitted* of all the charges and specifications preferred against him by the Secretary of the Navy ; and their judgment has since been *confirmed* by the President of the United States.*

And now we close this rapid sketch of the course of events in this important affair. After the prompt and decided opinion of the Court of Inquiry, the honorable acquittal by the Court-martial, and the confirmation thereof by the President, it may seem superfluous for us to undertake to add another word, even by way of explanation. The country has spoken through its constituted organs, and their justice cannot be rejudged. But the hardihood of public opinion, and the voice of slander, disregard the formal judgments of courts ; and there are not a few, who, with audacious hands, would venture to lift these "anchors" of the law.† It is to be regretted, that it did not fall within the province of the Judge Advocate before the Court of Inquiry, or that he did not deem it proper, to state what he understood to be the rule of law, by which the responsibility of Commander Mackenzie was to be determined. Such an enunciation might have gone further towards tranquillizing the public mind than a formal judgment, of which it may be said, perhaps, that it sometimes silences without convincing the understanding.

The reports, which we have been able to see, of the proceedings before the Court-martial, are so imperfect, partly from the secrecy of their deliberations, that we cannot judge with confidence of the nature of the counsel, which the Judge Advocate, on this occasion, in his character of legal adviser, deemed it his duty to give to the court. So far, however, as we may venture to judge of what we know so imperfectly, it appears to us unworthy of the magnitude of the occasion, and unjust towards Commander Mackenzie. Some of the questions started, and the spirit in which the trial was conducted, seem to show a greater aptness for the niceties of *Nisi Prius*, than for the comprehension of the generous

* The language used by the President in the *confirmation*, particularly when taken in connexion with a statement in the official journal at Washington, is supposed to be peculiar and novel. We have not time to enter upon an inquiry into this point. See *Law Reporter* for May, 1843, p. 47.

† *Judicia enim anchoræ legum sunt, ut leges reipublicæ.* Bacon de Aug. Scient., Lib. VIII. c. iii. Aph. 73.

principles and modes of proceeding, which should govern a cause of this character. It may be added, that the Judge Advocate did not seem at his ease in the performance of his duties. It was his misfortune, that, being invited to take charge of a prosecution, the conduct of which was to draw the observation of the nation, and to become a precedent hereafter, he did not enjoy a national reputation, so as to receive in advance the confidence of the people. It appears from the certificates, which he felt obliged to publish,* that his friends commend him for "a professional reputation standing as high as that of any other man of his age in the State," and as well known for honor and integrity of character in Maryland. It is doubtful, if, in other States, however it might be in his native commonwealth, his ears would be greeted by the "*οὔτις ἐκείνος*," which was so sweet to Demosthenes. It was, perhaps, a fault in the Secretary of the Navy, from whom the appointment of Judge Advocate proceeded, that he did not select, for the eminent duties of this trial, some person whose character, experience, and learning were calculated to inspire the confidence of the whole country.

There is another circumstance connected with these proceedings which ought not to be passed over in silence. We allude to it with extreme reluctance, unwilling to touch any of those chords, never to be touched in wantonness and indifference, which tremble in a parent's breast. The language of the defence seems to suggest,† what has been asserted by the press, that an influence had been exerted against Commander Mackenzie by the distinguished father of one of the offenders. It appears further, that Mr. Butler and Mr. O'Connor, eminent members of the bar, expressly requested to be allowed to appear before the court, in behalf of the relatives of this offender, to take part in the proceedings, to examine and cross-examine the witnesses produced, and to offer suggestions to the court; and that Mr. Butler gave the Judge Advocate "two papers of questions for witnesses." It further appears, from the state-

* Certificates to vouch a professional reputation, as if it were a medicine, are so distasteful in their nature, and so contrary to the usage of the bar, that we were not sorry to be obliged to descend for them to the columns of the *New York Herald*, where they seem to have first seen the light.

† p. 21.

ment of the Judge Advocate under oath, that Mr. Spencer, the Secretary of War, wrote an opinion on the course to be adopted at a certain stage of the trial ; though it is added, that it was not read to the Judge Advocate till the occasion to which it applied had gone by ; and further, that the Judge Advocate received from Mr. Spencer “ through the hands of Mr. Morris, *three questions he wished put to a witness.*” It would seem, therefore, that the suggestion in the defence was not entirely without foundation. Far be from our country and our age that ferocious virtue of ancient Rome, which taught one father to preside at the execution of his two sons condemned for treason,* and another, by his unaided voice, to order the instant death of a brave and generous child, who, contrary to the mandate of the dictator, had joined in single and successful combat with one of the chiefs of the enemy.† Still, we cannot but think, that the conduct of Mr. Spencer would have been more in harmony with that reserve, in which the inmost feelings of our nature find shelter, if he had abstained from all interference with the proceedings. It is impossible to measure the influence which his temper and conduct have had on the public mind ; and it may not be an undue assumption to attribute, in some part, to these causes the disagreeable imputations to which Commander Mackenzie has been exposed.

The commander was aided in his defence by counsel, to whose fame we can contribute nothing by what we might say in their praise. Perhaps, we should not say too much, if we suggested, with deference to their great learning and their perfect knowledge of the cause, that they do not appear to have occupied, to the full extent, the grounds of law on which the defence naturally rested. They commence with the position, that, “in judging of the necessity of the execution, it is of vital importance to ascertain preliminarily, whether a mutinous conspiracy in fact existed on board the *Somers*, and whether the persons executed were parties to that conspiracy.” This proposition is divisible into two parts ; *first*, as to the existence of the mutiny ; *secondly*, as to the guilt of the persons executed. In certain aspects of the case, we can conceive it not unimportant to be able to establish both parts of this proposition ; but it seems to us, that this is not essential to a complete justification

* Livy, II. 5.† *Ib.* VIII. 7.

of Commander Mackenzie. If we are right, the learned counsel, with the gallantry of another profession, threw away a shield to which their client was entitled.

We venture with diffidence upon the discussion of a question which has opened the field for such animated debate.* It is acknowledged that Commander Mackenzie has taken the lives of three men without the customary forms of law. Does the law contain, within itself, any principle, which, under the circumstances of the case, will justify this apparent violation of it? Our answer is, that it clearly does.

We assume the existence of a mutiny, or mutinous conspiracy, on board the *Somers*, as established by evidence beyond a doubt. Laying aside, for the present, all question as to who were the partakers in this guilt, or as to the necessity of their execution, we begin by inquiring, What were the duties imposed upon the commander by this event? Of course, to suppress the mutiny, protect the lives of his officers and crew, and save the ship which had been committed to his charge. But the law does not impose extraordinary duties, without conferring at the same time, co-extensive powers, or means for the performance of the duties. It does not enjoin upon its servants arduous exertions, without, from its ample armory, intrusting them with weapons adequate to the difficult purpose. These will differ much from the powers to be exercised on ordinary occasions. We will not undertake to decide the question, whether a national ship, on the high seas, in time of peace, and in the absence of mutiny or disturbance, is under the rule of the municipal law or of the martial law. But, however this may be in ordinary circumstances, we cannot doubt that, by the mutiny on board the *Somers*, this ship was placed, for the time being, in a state of war. It was as if the enemy were at the gates, or rather already within the walls, of the city. "*Dimicatum est enim non magis cum hostibus, quam, quæ dimicatio major atque periculosior est,*

* Several questions connected with this case have been started by an ingenious writer in the *Law Reporter* (No. for May 1843), reputed to be a late distinguished law-officer of one of the States. He seems, however, not disposed to undertake to resolve the doubts he raises. He could hardly have borne in mind the saying of Lord Bacon, not more conspicuous in philosophy than in law, whenever he directed to the latter his great powers, that we should "open the law on doubts, not open doubts on the law."

cum proditione ac perfidiâ sociorum."* Amid the sound of arms, the ordinary municipal law, which might before have controlled the duties and responsibilities of officers, became silent.† *Martial law prevailed.* By the course of events, the commander was invested with a duty not unlike that of the dictator,‡ *to see that the ship received no detriment.* The law, that laid on his shoulders the burden of these transcendent powers, required in his case, as in many other instances where it imposes duties, only their honest and conscientious exercise to the best of his abilities. In the flagrant proof of the existence of the mutiny, and the melancholy circumstances by which he was surrounded, he might read legibly, as in a warrant of the law, the customary *formula* of that instrument — "*for which these shall be your warrant*" — and proceed, without fear of the future, to the execution of a citizen.

It is a principle of the common law, — and probably a principle of universal law, for it has its foundations in natural equity, — that a person having judicial authority will be protected by the law in all cases where he has exercised it honestly and conscientiously, even though grievous error may have occurred. This principle is to be found in the earliest records of our jurisprudence, and is upheld by an unbroken series of decisions. The reason of it has been succinctly stated by a distinguished judge of our country.§ "*Judicial exercise of power,*" he said, "*is imposed upon the courts. They must decide and act according to their judgment ; and,*

* Livy, I. 28.

† "I can conceive of cases," says Lord Mansfield, "in time of war, in which a governor would be justified, though he acted very arbitrarily, in which he could not be justified in time of peace. Suppose during a siege, or upon an invasion of Minorca, the governor should judge it proper to send an hundred of the inhabitants out of the island from motives of real and genuine expediency: or suppose upon a general suspicion he should take people up as spies; upon proper circumstances laid before the court, it would be very fit to see whether he had acted as the governor of a garrison ought, according to the circumstances of the case." *Mostyn v. Fabrigas*, Cowper's Reports, I. 174.

‡ It is said that the first cause of creating a dictator, was the fear of a domestic sedition. Liv. II. 18, 29. III. 20. Cic. de Leg. III. 3.

§ Mr. Chief Justice (afterwards Chancellor) Kent, in the case of *Yates v. Lansing*, Johnson's Reports, Vol. V. p. 291. This point is discussed by Mr. Wirt, in the defence of Judge Peck on his impeachment; a forensic effort to which we cannot allude without expressing our admiration of its ability, its learning, and its eloquence. See Peck's Trial, p. 492.

therefore, the law will protect them." The rule was expressed another time in more technical language.* "Therefore, by the law of England," said Lord Mansfield, "if an action be brought against a judge of record for an act done by him in his judicial capacity, he may plead that he did it as a judge of record, and that will be a complete justification."

Analogous to this in principle, is the justification of the commander of the Somers. The character cast upon him was at once *judicial* and *executive*. He was to judge and to execute. The judicial authority does not depend on the ermine or robe. It may be muffled even under a military cloak.

The vivid language of Mr. Erskine in one of his greatest efforts† is pertinent to our purpose, though applied by him to proceedings by impeachment.

"I say that the extraordinary jurisdiction by impeachment ought never to be assumed to expose error, or to scourge misfortune; but to hold up a terrible example to corruption and wilful abuse of authority by extra legal pains. If public men are always punished with due severity, when the source of their misconduct appears to have been selfishly corrupt and criminal, the public can never suffer when their errors are treated with gentleness. From such protection to the magistrate, no man can think lightly of the charge of magistracy itself, when he sees, by the language of the saving judgment, that the only title to it is *an honest and zealous intention*. If at this moment, or, indeed, in any other in the whole course of our history, the people of England were to call upon every man, in this impeaching House of Commons, who had given his voice on public questions, or *acted in authority, civil or military*, to answer for the issues of our councils and *our wars*, and if *honest single intentions* for the public service were refused as answers to impeachments, we should have many relations to mourn for, and many friends to deplore. For my own part, I feel, I hope for my country, as much as any man that inhabits it; but I would rather see it fall, and be buried in its ruins, than lend my voice to wound any minister, or other responsible person, however unfortunate, *who had fairly followed the light of his understanding and the dictates of his conscience for their preservation*. Gentlemen, this

* *Mostyn v. Fabrigas*, Cowper's Reports, Vol. I. p. 172.

† Speech on the trial of the printer, John Stockdale, for a libel. Erskine's Speeches, Vol. I. p. 374.

is no theory of mine ; it is the language of the English law, and the protection which it affords to every man in office, from the highest to the lowest trust of government. God forbid that a magistrate should suffer from an *error in judgment, if his purpose was honestly to discharge his trust.*"

Without intending to apply the language of Mr. Erskine, or the analogy derived from the immunity of the judicial character, rigidly to the matter before us, we are prepared to assert, that the legality of the means employed by Commander Mackenzie in suppressing the mutiny may be judged by the answer to the simple question, whether, under the circumstances of the case, he acted honestly, to the best of his judgment, and without any corrupt motive, or wilful thought. But, in giving this effect to the motives of the commander, we assume that the mutiny had acquired such foothold as to cause reasonable and well-grounded apprehensions for the safety of the ship. In other words, there must have been an *apparent necessity* for a resort to *extraordinary* means to arrest the mutiny. There must have appeared to be no other alternative, equally consistent with the safety of all. In characterizing this necessity as *apparent*, rather than real, we adopt the distinction which lies at the foundation of the right of self-defence.* The consideration of this distinction will throw additional light on the rule by which the responsibility of Commander Mackenzie is to be judged.

But what is the right of *self-defence* ? It is a right founded in the law of nature. It springs from the character of man. It is one of the essential elements bound up in his being. It had its origin in the instincts of humanity, and is ratified by the calm judgments of reason. It is older than books, for it was born when the pulsations of the heart began. It is broader than civilization or law, for it is com-

* Not distantly connected with this is the question, When, if ever, one person would be justified, in case of shipwreck or other great calamity, in taking the life of his companion in order to save his own. The recent interesting case of the *William Brown*, where the mate threw a number of persons into the sea, is an illustration of this point. A short time after the precipitate act, a sail came in sight, though at the time of the act it seemed unreasonable to expect such happy succour. It would appear, therefore, that the company in the boat did not act under the promptings of a certain, inevitable, and overwhelming necessity ; but only of an *apparent* necessity. On some future occasion we hope to be able to consider at length the case of the *William Brown*.

mon to the whole human family. The language of the great Roman orator and lawyer is as true now as when it was employed in the defence of Milo.* “*Est igitur hæc, iudices, non scripta, sed nata, lex : quam non didicimus, accepimus, legimus, verum ex naturâ ipsâ arripuimus, hausimus, expressimus ; ad quam non docti, sed facti, non instituti, sed imbuti sumus ; ut, si vita nostra in aliquas insidias, si in vim, si in tela aut latronum aut inimicorum, incidisset, omnis honesta ratio esset expediendæ salutis. Silent enim leges inter arma.*”

A right so important, which, in its exercise, may override the ordinary municipal law, can only be employed under circumstances of a peculiar character. It is like the sword, suspended in the temple in ancient times, which could only be taken down on a great emergency. The law, which sanctions this right, limits and guards its exercise. It is not on every occasion of anxiety, or fear of imagined danger, or impending harm, that a person will be justified in taking the life of a citizen. But the law, while careful to restrain the right within its natural limits, recognizes its force on every just and proper occasion. What, then, is a just and proper occasion for its exercise ? We answer, Whenever a person of ordinary firmness and courage, has *reasonable grounds* to believe his life in danger ; or, according to another form of expression, whenever it *appears* that he can save his own life only by the sacrifice of that of another. It is not necessary that the danger should in *reality* be imminent ; it is sufficient, if there are reasonable grounds to believe that there is a design to destroy life, although it should afterwards appear that no such design existed.†

* *Pro Milone*. § 4.

† We are unwilling that a distinction, so important to our purpose, should be left merely on the assertion of the text. The language of Blackstone on this point lacks precision. (Blackstone's Com. Vol. IV. pp. 180, 184.) An *apparent* cause for firing was treated by Mr. Justice Trowbridge as a valid justification of the British soldiers, for killing certain persons March 5, 1770. (See Chandler's Crim. Trials, pp. 406, 411.) The distinction was accurately expressed by Mr. Justice (afterwards Chief Justice) Parker as follows ; “When from the nature of the attack there is reasonable ground to believe that there is a design to take his life or commit any felony upon his person, the killing the assailant will be excusable homicide, *although it should afterwards appear that no felony was intended*. To illustrate this principle, take the following case. A., in the peaceful pursuit of his affairs, sees B. rushing rapidly towards him, with an outstretched arm, and a pistol in his hand, and using violent menaces against his life as he advances. Having approached

This is the rule of municipal law, derived from numerous authorities, and applied to cases between citizens on the land. It was recognized in our country as long ago as the trial of the soldiers for what has been called the Boston Massacre ; and was accurately defined by the court, after learned and acute discussion at the bar, in the trial of Selfridge for the killing of Austin. There are many reasons, why the rule might receive a more enlarged and vigorous application in the case of the soldier, than in that of the citizen. We will, however, only allude to one. As the soldier is bound to maintain his *post* and his *arms*, it would seem that, in the defence of these, he would be justified in resorting to the same extreme measures by which he might protect his life.

Applying this rule to the circumstances of the Somers, it will be needful to the legal justification of the Commander only to establish the existence, at the time of the execution, of an *apparent* danger to the ship, or to the lives of his officers and crew. It should be such a danger as seemed to him, in the exercise of his best judgment, to threaten fatal results, unless arrested by instant and extraordinary exertions. We repeat, that, in strictness of law, it is not requisite for him to go further than this. And we present this view of the case, not because we believe that the necessity, under which he acted, was not at once real and *apparent*, but because we are anxious to define what seem to be the proper legal grounds of defence. In this view, the question to be asked is not, whether, looking at the circumstances of the case from the vantage-ground of the present time, it was in reality possible

near enough, in the same attitude, A., who has a club in his hand, strikes B. over the head before, or at the instant the pistol is discharged, and of the wound B. dies. It turns out that the pistol was loaded with *powder only*, and that the real design of B. was only to *terrify* A. Will any reasonable man say, that A is more criminal than he would have been if there had been a bullet in the pistol? Those who hold such doctrine must require, that a man so attacked, must, before he strike the assailant, stop and ascertain how the pistol is loaded." (Trial of Selfridge, p. 160.) The Scotch law corresponds with this. It is to be found in Mr. Alison's admirable work on the *Criminal Law of Scotland*, and it is a source of no little pleasure to meet the author of the history of the French Revolution in another department of intellectual labor. The right of self-defence, he says, arises "where there is personal violence of such a kind as may *reasonably seem* to endanger life," p. 20; "where an officer has reason to conclude that his life shall come to be in hazard," p. 29; "in case of *reasonable necessity*," p. 38.

to carry the prisoners to St. Thomas, or to the United States ; but, whether, *at the time of the execution*, it did not *appear* impossible to do it, without imminent danger to the ship and all on board.

And this leads us to an important consideration. In determining the existence of this *apparent* necessity, we are to banish from our minds all knowledge or impressions derived from recent results or evidence ; we are to carry ourselves back to the morning of December 1st, 1842, and to the actual point of time when the execution took place ; we are to put ourselves in the position of the commander ; to scan the countenances of the crew ; to note the signs of disaffection ; to breathe the atmosphere of distrust. We are, with him, to examine the narrow accommodations afforded by the brig, and to consider the difficulty of preventing communication between the prisoners and the crew ; and, finally, with him we are to listen to the unanimous recommendation of his officers, that Spencer, Cromwell, and Small should be put to death.

As it is not in our power to place ourselves actually in this situation, it is important that we should employ the means, which, after personal observation, are best calculated to give us an accurate impression of the appearance of things at the time of the execution. In the first place, we are to consider the size of the *Somers* ; and here the opinion of Mr. R. H. Dana, Jr., who so happily unites in his own person the apparently incompatible experience of the seaman and the lawyer, is entitled to the highest consideration :

“I must say no one ought to form an opinion upon the issues of this conspiracy without first seeing the *Somers*. You would hardly believe your eyes, if you were to see, as the scene of this conspiracy, a little brig, with low bulwarks, a single narrow deck, flush fore and aft, and nothing to mark the officers’ quarters, but a long trunk-house, or *companion*, raised a few feet from the deck, to let light and air in from below, such as you may have seen in our smaller packets, which ply along the seaboard. You feel as though half a dozen resolute conspirators could have swept the decks, and thrown overboard all who opposed them before aid could come from below. And in coming on deck, (which seemed to me more fearful than any thing else in the officers’ condition) the officers would have to come up the

steps, and through the small companion scuttles, at which a couple of men could easily have cut them down, or shot them as they appeared In short, no one, at all acquainted with nautical matters, can see the *Somers* without being made feelingly aware of the defenceless situation of those few officers."

Having the appearance of the *Somers* in our mind, we are prepared to listen to the evidence with regard to the mutiny of which she was the scene. The persons on whom we naturally rely for testimony as to the condition of things on board a ship, are the officers. There can be no reason why those of the *Somers* should be disqualified from being witnesses. Examine them; they all concur in expressing their belief, entertained not only at the time of the execution, but down to this day, in the actual existence of a formidable mutiny, in the guilt of Spencer, Cromwell, and Small, and in the necessity of their execution as a means of securing the command of the ship to the lawful authorities. They describe the appearance of the crew; they repeatedly speak of the "indescribable something," the disobedience to orders, the sullenness, which were tokens of the mutinous disposition. It is trifling with human testimony to say, that the ship was not at least in *apparent* danger, when all the officers join in testifying to its existence. On the testimony of these men, we leave this part of the subject. It would be impossible, without unreasonably drawing upon the patience of the reader, to sift the various circumstances attending the mutiny, and estimate their weight and importance as evidence of danger to the ship. And we are less disposed to do it, because we should be obliged to repeat something of what we have already presented in our narrative of the mutiny. The field, moreover, has been so fully occupied by the counsel of the commander, as to leave scarcely so much as a straw for the gleaner.

In estimating the danger to which the ship was exposed, we must not close our eyes upon the light derived from the history of past mutinies. At this stage of our remarks, we can do no more than invite attention to the illustration to be derived from this source. With such warnings as we have already introduced into our pages, no Commander can properly hesitate to adopt the most prompt and energetic measures. He must be mindful, that the mutiny, swift as an armed man, may spring upon the unsuspecting officers,

and that, while he hesitates for a moment, the irrevocable blow will be struck. Above all things, he will make great exertions, and incur burdensome responsibilities, rather than allow the flag intrusted to his guardianship to be displaced by the black bunting of the pirate. It is a duty, than which none lies nearer the heart of a faithful commander, to preserve his ship sacred for his country, that no flag may float from its mast-head but the ensign of the Republic, that its sleeping thunder may never be awakened except in the cause of Right.

Looking, then, at the circumstances of this case, by the best lights within our reach, we cannot hesitate to express our conviction of the necessity, at once real and apparent, under which the commander acted. And this brings us to the distinct question, whether it is incumbent on him to proceed further in his justification, and establish the *actual* guilt of each one of the three persons executed. It seems to us, most clearly, that this is not essential to his justification in any point of view; certainly it is not requisite to his legal justification. The utmost that can be required of him is to establish the *apparent* guilt of these persons. But even this is not imperative. And here we conclude, as we began, this portion of the argument, by saying that it is sufficient, if it be shown that the Commander, in taking the steps that he did towards the suppression of the mutiny, acted in good faith, even supposing subsequent knowledge may have made it evident that he erred in judgment. In this respect, his situation differs materially from that of the citizen, who takes the life of another in self-defence. He is summoned by necessity to take extraordinary steps for the safety of the ship. The law that has invested him with such sudden and indefinite powers to meet a peculiar emergency, considers properly all the circumstances of the occasion. It does not expect from him on the deck of a man-of-war, and in the midst of the ocean, the protracted deliberations of a court of justice, nor a nice balancing of suspicions and evidence. It further considers wisely the infirmity of human nature, and its liability to error. But over all errors of judgment, under such circumstances of necessity, it throws its ample shield. Whatever the commander does, we repeat again, *in such an emergency, in good faith, and in the conscientious discharge of his duty,*

believing it to be necessary to the safety of his ship, or of the lives of those on board, receives the protection of the law.

It is on this ground, that the many instances, in the history of the world, of extraordinary military punishment, under peculiar circumstances, may be justified ; as by the suspicions under which parties have fallen, or by the impossibility of discovering the real offender, and the necessity of making an example. Thus, it has not unfrequently happened, that the leader of a forlorn hope, or other officer in the heady current of battle, has, with his own arm, struck down the soldier who seemed to shrink from his post. In all these cases, the justification is found in the conscientious discharge of duty, under the apparent necessities of the occasion.*

In our examination of this matter thus far, we have, for the most part, followed a course of argument different from that so ably occupied by the counsel of Commander Mackenzie. We have forborne all inquiry into the guilt of Spencer, Cromwell, and Small, believing that it is irrelevant to the determination of the merits of the defence. If we are right in this view, it may be justly regretted, that, in the protracted proceedings of the Court-martial, so much time was consumed on this question. The effect of this was, to widen the field of inquiry beyond the requirements of law.

We should do wrong, however, to close our remarks without one glance at a matter, which has been deemed by many so important. It is with regard to the *actual* participation of Cromwell in the mutiny, that the chief question has been raised. The concurring opinion of the officers at the time, marking him as one of the leaders, indeed as the *dux facti*, establishes at least *apparent* guilt, though it may not be manifested by facts susceptible of narration or evidence. In a matter like this, we are bound to adopt the convictions of those who were on the spot, and saw with their own eyes, and heard with their own ears, all that passed. It would be impossible to add to the admirable

* The practice of *decimation* in the Roman armies was sustained by the same apparent necessity. "*Statuerunt enim ita majores nostri, ut si a multis esset fugitium rei militaris admissum, sortitione in quosdam animadverteretur ; ut metus videlicet ad omnes, pœna ad paucos perveniret.*" Cicero pro Cluentio, 46. In Tacitus, we find that it did not even consider the *actual* guilt of the party. "*At quidam insontes peribunt. Nam et ex fuso exercitu, cum decimus quisque fusti feritur, etiam strenui sortiuntur.*" *Annal.* XIV. 44.

force, with which all the circumstances in the various testimony bearing on this point have been presented by the counsel of the Commander. And it must be difficult for any one, after reading their argument, to entertain a doubt of the actual guilt of Cromwell. There is no opportunity for hesitation with regard to the guilt of the other two, as both confessed it previous to their execution. The earlier years of Spencer's short life seem to have afforded gloomy prognostications of his destiny. When a student at Schenectady College, where he was probably imbued with some of that knowledge which he afterwards employed in his Greek ciphers, his favorite reading was in books of piracy. His imagination was smitten by the stories of the heroes of crime. He talked of them among his companions. A longing grew in his breast to figure as a great criminal. We have understood, from an authentic source, that, while on board the *Potomac*, he detailed piratical projects similar to those which were afterwards arrested by the promptness and energy of Commander Mackenzie on board the *Somers*. He had gone so far as to determine the dress which he should adopt as the captain of a pirate ship. Upon the memory of the unfortunate dead we would not cast an unnecessary weight of reproach ; but the character of Spencer enters as an essential ingredient into the case of the *Somers*. Of him it may be said, that he seemed

“ Worthy to be a rebel ; for, to that,
The multiplying villainies of nature
Did swarm upon him.”

The judgment of the Court-martial, by which Commander Mackenzie was honorably acquitted of the charges and specifications against him, stands on the immovable foundations of law. But we should not convey our strong convictions of its justice, if we did not add our opinion, that it cannot fail to be ratified by every unprejudiced mind.* Through the confusion and obscurity, which prejudice and ardent discussion have thrown over this subject, this judgment will appear, like the country's flag revealed in the smoke of battle. Does any one in his heart believe, that

* We cannot doubt, what we have understood, that the opinion of officers of the British navy on this question is in accordance with that of the

the conduct of the Commander was not justified by the circumstances in which he was placed? Who would have asked him, with the history of former mutinies in his memory, to brave the dangers of delay for yet another hour? Let such person, if such there be, picture to himself the possible fate of the Commander, before the sun had gone down on the first day of his irresolution. The officers, weary with watching, are sprung upon by the crew fresh from undisturbed repose. Perhaps they are thrown into the sea, which closes over their unconfined bodies. Perhaps, in an open boat, with a few biscuits and a single jar of water, they are set adrift, and at last, through various vicissitudes, worn with suffering, with nothing left to sustain them but hope, arrive in their country, to tell their melancholy story. Meanwhile, the swiftest ship of the navy, from its armament and its build apt at once for attack and escape, has fallen into the hands of a pirate. Like a baleful meteor, it shoots over the troubled ocean, with unwonted fears perplexing the navigation of the world. It arrests the commerce of the country, floating on every sea; it fastens upon one of those stately ships, those "pageants of the sea," laden with costly merchandise; and the gentle vessel, gay with the presence of the beautiful and cherished of the land, bearing to foreign shores wives in the fresh morning of a husband's love, and maidens the light and joy of happy household hearths; or homeward bound with long-expected travellers, who have garnered up the rich harvest of learning, and science, and art among the ancient scenes of Europe, becomes the pirate's prey. When these tidings reach home, where shall the Commander of the *Somers* hide his head? To him the country will call for the ship once intrusted to his charge, with stronger feeling than was implied even in those words of anguish wrung from the Roman emperor, — "Varus, restore my legions."

Honor, then, to the commander for the courage and prompt-

Court-martial. We should not allude to this circumstance, except to counteract an impression, that has been carefully circulated to the contrary. An English article has been printed in our papers, on the mutiny of the *Somers*, as from the "*United Service Journal*," whereas it was from the "*United Service Gazette*," a paper of an inferior character. It was probably attributed to the *Journal* for the malicious purpose of giving it authority and currency.

titude he displayed, and the service he has rendered to his country ! He has done more than gain a battle, and deserves more than the homage of admiration and gratitude with which we greet the victor returning from successful war. We thank him, and the country thanks him, that he did not hesitate ; that, just and firm of purpose, with a soul full of tenderness, he did not allow the sacred regard for human life, nor the wicked machinations of conspiracy, nor the fear of evil tongues at home to shake his solid mind. But is there nothing to excite regret in all that he has done ? We wish we could bring our remarks to an end without alluding to a paper, which, in justice to the subject, cannot be passed over in silence. The most important document, illustrative of the mutiny, is the official communication of the Commander to the government. It is said that this was prepared in great haste, and under the pressure of anxiety and care. We doubt if ever a good cause, towards which the hearts of the people inclined with instinctive admiration, received greater detriment from any single document or circumstance, than that of Commander Mackenzie from his official narrative. Few have read it without being pained by some things in the dreary recital of what he addressed to the prisoners previous to their execution, and especially by the recommendation of his officers for promotion. We revere the austere firmness, which executed justice alike upon the educated son of a Minister of State, and the humble untaught sailor ; but we shrink from the excess of professional spirit, which seems for a moment to have forgotten the milder feelings of the man, and which asked promotion at the hands of the government for those whose courage aided in the just but melancholy act. It was not with triumph that he should have presented himself before his country ; rather with humility and sadness, for he had taken the life of a citizen. At the thought of the fate of that young man, the heir to distinguished talents in two generations, and bearing the commission of his country, the feelings of gratulation, even in the overthrow of the plottings of a pirate, and the rescue of a national ship, ought not to find utterance ; the lustre of success is obscured by the sacrifice ;

“ The pomp is darkened and the day o’ercast.”

It was not in a communication calculated to inflame the pru-

rient taste of the people, that this dread offering to necessity and law should have been announced ; but in words few and significant, and expressive of the grief of him by whose orders it had been done ; for he who has slain a man, however justly, is not to be envied.* But we should fail in justice to this paper, if we did not record our admiration of the frankness and loyalty to truth, companion virtues to the courage that saved the *Somers*, evinced, even in those passages which we could most wish to blot, by the minute relation of circumstances which are little favorable to the writer.

On other occasions Commander Mackenzie, by not distinguished services, has won an enviable fame. He has, by more than a single trial, proved himself brave, disinterested, and humane. In our navy, an officer of his lofty character and unaffected singleness of heart must find many opportunities for honorable and useful service. And when he again descends upon the sea, we shall doubtless hear, as we have heard before, of the affectionate attachment which he inspires among his brother officers, and of the auspicious influences which he exerts over those under his command. Let us add, in conclusion, that to us Commander Mackenzie is an entire stranger. We have long honored him for his contributions to the literature of the country, and none the less, because, while following the profession of arms, he has found time to cultivate the arts of Peace. It is a source of no little satisfaction, that one who wears the laurel with such gentle mien should know so well how to employ the sword.

* The Commander says well in his despatch, that it was the most melancholy act which an officer of the navy had ever been called to perform. To reconcile him to the recollections of such a tragedy, he will lean upon what is firmer than fame, the consciousness of duty done. Plato, in his *Gorgias*, the dialogue which Cicero read so diligently at Athens, and by which he was taught chiefly to admire its great author, puts in the mouth of Socrates words of striking application to the situation of the Commander.

"*Socrates.* We should not envy those who are not to be envied, nor the wretched, but pity them. *Polus.* What of that? do you think this is the case with the men I am speaking of? *S.* Yes; for how can it be otherwise? *P.* Whoever, therefore, slays whom he may have seen fit to slay seems to you, does he, to be wretched and pitiable? *S.* No, indeed, not to me; nor yet to be envied. *P.* Did you not a moment since say he was wretched? *S.* He who has slain a man unjustly — yes, my friend, and to be pitied besides; but *he who has done it justly, is not to be envied.*"

ART. X. — CRITICAL NOTICES.

1. — *History of Beverly, Civil and Ecclesiastical, from its Settlement in 1630 to 1842.* By EDWIN M. STONE. Boston : James Munroe and Company. 1843. 12mo. pp. 324.

THE love of our native town is a sentiment by itself. It cannot be dignified by the name of patriotism, neither is it exactly the love of home, but a connecting link between them. Although we cannot shut our eyes to the ever-flowing tide of Yankee emigration, we think the instinct in question nowhere manifests itself more strongly than in New England. Many whom the spirit of enterprise and an ardent imagination have led to "new homes" on a richer soil, or to a wider sphere for the exercise of talent, in cities, or what are termed *growing* places, have been known to cherish for years the purpose of returning to their native village, and the hope of possessing, as the resting-place of their old age, the "play-place of their early years." To few, perhaps, ever happens a combination of circumstances which puts them at liberty to gratify this wish; so strongly do the ties and associations formed later in life bind them to the soil into which they have been transplanted. But these voluntary exiles, and even their descendants, regard the old spot with a sort of romantic interest, and read, with a pleasure and curiosity not to be wearied by minute details, such a history of "the place of ancient memories" as this, which Mr. Stone has furnished, of the good old town of Beverly.

But we think the *History of Beverly* will be acceptable to a larger class of readers than town-histories ordinarily find. Mr. Stone has been indefatigable in his search for information of various kinds, and has judiciously woven his materials into a narrative of a readable form, enlivened occasionally with anecdotes and entertaining facts. Among the best things in the book are the short biographies of eminent men, some of whom ought not to be considered the property of a particular town, as they were widely useful and influential, and will long be remembered with love and respect in the community at large.

The improvement of the people in their taste for church architecture and sacred music, and in the decorum of their behaviour during divine service, makes an amusing chapter. There is certainly a great change for the better since the days when the spirits of prankful urchins were hardly kept in awe by the terror of the tithing-man. We do, indeed, occasionally

see sleepy hearers in our warm houses and cushioned pews ; but the presence of an officer, watching every involuntary nod and drooping eyelid, and dealing punishment upon offenders, would excite any thing but sober attention.

One omission we noticed with surprise. In a town more remarkable for the sober good sense and unostentatious manners of its inhabitants, than for their taste in the fine arts, the discovery of an undoubted genius is a remarkable event, and deserving of record. Miss Quiner of Beverly, with proper patronage and advantages, would take no mean rank among American artists. Without instruction or cultivation of any sort, her talent for modelling in clay has already attracted much notice.

The engravings, we understand, are, some or all of them, from drawings by an untaught artist in Upper Beverly. They are an ornament to the book, though the views of the town are taken from points which do not present it under a familiar aspect, and the likeness is not immediately recognized.

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2. — 1. *A Muck Manual, for Farmers*. By SAMUEL L. DANA. Second Edition with Additions. Lowell : Bixby & Whitney. 1843. 32mo. pp. 232.
2. *An Essay on Calcareous Manures*. By EDMUND RUFFIN. Third Edition. Petersburg : Printed for the Author. 1842. 8vo. pp. 316.

GREAT improvements have been made of late years in the application of science to the arts, and for other useful purposes, and in no department have the beneficial results of such an application been more manifest than in that of agriculture. People are willing to undergo the labor of making themselves acquainted with new views and facts promulgated by scientific men, and to incur the expense of reducing them to experiment, when the advantages from a successful trial will be tangible, and the results immediate. Hence comes the eagerness with which Dr. Liebig's recent publications have been received in this country, as evinced by the rapid sale of large editions. Not all the persons who buy them are capable of judging of their scientific merits, nor is it necessary that they should be. A practical test is at hand, which any one can apply. A trial soon determines the worth of the reputed discovery, or novel application of principles formerly known, and if the expected results follow, it matters not if the reasoning be unsound, and the *data*, which

form the premises, be hastily put together and insufficient. The inquirer may have hit upon the truth by accident.

It is a good proof, therefore, of the value of such works, that the sale of them is continued and extensive. Tried by this rule, the two publications before us must possess considerable merit. Dr. Dana's Manual has passed to a second edition, and the Trustees of the "Massachusetts Society for Promoting Agriculture" have purchased one hundred copies of it for immediate distribution. Mr. Ruffin's Essay, an octavo of three hundred closely printed pages, has reached the third edition. These facts afford a strong presumption in favor of the two books; for they are purchased, of course, only by practical men, who have found it to their advantage to apply the principles contained in them to the details of agriculture. "In the few years," says Mr. Ruffin, "which have passed since the issue of the preceding edition, it is believed that the use of marl and lime in lower Virginia has been extended over thrice as much land as had been previously thus improved; and the previous clear income of the farmers thus fertilizing their lands has been already increased" — to an amount that we dare not mention, lest we should be suspected of practising on the credulity of our readers. Dr. Dana expresses his "obligations to the editors of the different agricultural newspapers for the favorable opinion they have, as far as the author knows, universally expressed of this volume."

If our readers think that the merits of these treatises are here tried by a new and rather unsafe criterion, we can only plead in excuse our inability to judge of them in any other way. We frankly confess our ignorance of the rather unsavory subject which these writers discuss, and we feel no desire to have any nearer acquaintance with it. But what then? Dr. Dana intimates that he knows very little about farming, and that his "agricultural reading has been very limited"; and Mr. Ruffin says, that he has "but small pretensions to the character of a good farmer." Now, if authors may write books upon subjects of which they know little, reviewers, who know less, may surely be permitted to notice their publications. The farmers are the only persons whose opinion on the subject is worth having, and, as they seem to have expressed a favorable judgment, no great courage is required to enable any one to indorse their recommendation.

3. — *The Social Compact, exemplified in the Constitution of the Commonwealth of Massachusetts; with Remarks on the Theories of Divine Right of Hobbes and of Filmer, and the Counter Theories of Sidney, Locke, Montesquieu, and Rousseau, concerning the Origin and Nature of Government.* A Lecture, delivered before the Franklin Lyceum, at Providence, R. I., November 25, 1842. By JOHN QUINCY ADAMS. Providence: Knowles & Vose, Printers. 1842. 8vo. pp. 32.

THE people of the United States have a stronger relish for the discussion of political principles, and the exercise of political rights, than any other nation on the face of the globe. The interest which they feel in the elections is kept alive by two most powerful stimulants, — the consciousness of power, and the knowledge that their own pecuniary affairs and civil privileges will be deeply affected by the result of the vote. The electoral body is very numerous, it is true, and the importance of an individual vote seems to be diminished, when we consider how small a fraction it forms of the result. But one effect of our peculiar institutions is to keep parties very equally balanced in the country, and the consequence is, that every person puts a higher value upon his own suffrage in proportion to the smallness of the majority by which the question is ultimately decided. It not unfrequently happens, that an important election is determined by a single vote, and then every individual who acted with the majority is prone to believe that the decision rested on him alone. His vanity is flattered by this belief, and no wonder that he engages with great zeal in the canvass and preliminary discussions.

Unluckily, political measures and principles are considered and debated only when the time has actually come to adopt or reject them, and, consequently, they are weighed under circumstances very unfavorable to a dispassionate judgment. They are discussed in the heat of the contest, when the feelings are already enlisted in the strife of parties. It is not strange, then, that people often manifest great inconsistency in their political conduct, and find themselves engaged at different times in defending opinions which are dissimilar, and even opposite to each other, without the consciousness of having at all changed their position. It is doing a good work, therefore, to induce them at times to look at these questions theoretically, and in the abstract, before a bias is given to the judgment by the public agitation of them at the polls and in the halls of legislation. Most persons

have a prejudice against merely speculative considerations in politics ; but they express their impatience only when such views are brought forward at the time of action and decision, and in order to convince them of the extravagant and incongruous character of their own arguments and measures. First principles must be settled before the time arrives for their application. People will not listen to them when the contest has actually begun, unless they tend to fortify opinions previously conceived.

In the lecture now before us, we find an abstract theory of the origin and nature of government, and a review of the opinions maintained on this subject by the principal French and English writers. We have the assurance of the author, that the lecture was written without the slightest reference to contemporary events, or the political discussions of the present day. It is at once an able and useful production, and will be read with the attention and respect, with which the opinions of the venerable statesman to whom we are indebted for it are generally received throughout the country. The lecturer finds his text in the Constitution of Massachusetts, in which the taste of the authors induced them to embody a fuller statement of general principles than is found in the constitutions of the other States, or in that of the whole nation. The doctrine which he labors to establish, may be clearly stated in his own words ; " that the social compact, or body politic, founded upon the laws of nature and of God, physical, moral, and intellectual, necessarily presupposes a *permanent* family compact, formed by the will of the man and the consent of the woman ; and that, by the same laws of nature and of God, in the formation of the social compact, the will or the vote of every family must be given by its head, the husband and father." The corollary seems to be, that not every individual is consulted in the formation even of the most liberal government ; but one must often act for many, and the persons whom he represents are as much bound by his acts, as if they had directly participated in them. Thus, when it is said, in the Constitution of the State, that " the *whole people* covenants with each citizen," that portion of the people must be meant, who are capable of contracting for the whole. Probably few persons are aware, how small this portion is. No woman, and no man under the age of twenty-one years, had a hand either in the preparation of the instrument, or in the final vote by which it was adopted. The constitution was ratified and made binding upon posterity, because it was approved " by more than two thirds of about fifteen thousand persons who voted upon it, out of a population of three hundred and fifty thousand, or one vote for every thirty-five souls."

Some of those who are wont to talk glibly about our democratic institutions, may not know that the word "democracy" is not once mentioned either in the Constitution of Massachusetts, or in that of the United States. These two instruments, says Mr. Adams, "form together a mixed government, compounded not only of the three elements of democracy, aristocracy, and monarchy, but with a fourth added element of *confederacy*." The principle of governing by what is absolutely the greatest number is nowhere recognized in our fundamental institutions; for in each State, and in the whole nation, the greater number of human beings living therein have no voice whatever in the election of officers, or the enactment of laws, but are bound to submit to a government framed and conducted for them by a minority of the people. And the doctrine that such a minority has a right to govern the whole body is not a matter of convention or formal agreement, but is recognized as a law of nature, binding upon the whole human race before any society among them is formed. It grows out of the patriarchal or family origin of all government,—out of the natural relations which bind together husband and wife, parents and children, guardian and ward. It is founded on the natural distinctions of age and sex, through which subordination and dependence are established from the moment of birth. It is true, that our government is the most popular one which exists upon earth,—that it constitutes, perhaps, the nearest approach to a pure democracy which has ever been formed. But "it is not democracy, nor aristocracy, nor monarchy, but a compound of them all, of which democracy is the oxygen or vital air, too pure in itself for human respiration, but which, in the union with other elements equally destructive in themselves and less pure, forms that moral and political atmospheric air, in which we live and move and have our being."

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4. — *Manhood, or Scenes from the Past; a Series of Poems.*
By WILLIAM PLUMER, JR. Boston: Tappan & Dennet.
12mo. pp. 148.

THIS volume is in continuation of the author's plan, begun in a little work noticed formerly by us, in this Journal. The writer's aim is to present the feelings, objects, and pursuits of the different periods of life, and to express them in a poetical form. This volume goes on from the point reached in the other, and describes the period of manhood. Keeping in view the one idea

of truly representing what truly belongs to the successive periods of human life, Mr. Plumer has given to his poetry a singular interest, — the interest that truth, nature, and reality always excite. The incidents and feelings he portrays belong not to the ultra-romantic character; they are such as all educated and virtuous men experience in the serene paths of public and private duty. No overwhelming passion, no extravagant aim, no ambition strong enough to trouble the even tenor of civic existence, appears ever to have agitated the author's bosom. And yet he has passed with honor across the arena of forensic contests, and has been the not undistinguished representative of a respectable constituency in the House of Representatives at Washington. He shows a calm and philosophical temperament, content to forego the uncertain joys of wealth, for the quiet blessings of assured competency; seeking happiness in the steady performance of duty, and in the pleasures of the domestic fireside. Over this scene of happy repose, the Muse has shed her ray; letters have embellished the ordinary incidents of life; and the good citizen, the virtuous statesman, the kind parent, sits down as the evening of life approaches, and portrays with the pencil of truth the varied scenes through which he has honorably passed.

These hints will give an idea of what may be expected from the present work. It contains no passages of fiery strength or dazzling brilliancy. It startles by no extravagances of sentiment, or intensity of expression. It utters no complaints of the wretched lot and desperate unhappiness of the unappreciated genius. Human life is not delineated here as a state of mortal misery. But the author writes in a smooth and sustained style, not destitute of poetical beauty, and utters thoughts marked by tender sentiment, gentle affections, and the purity of a high-minded and virtuous man. He has well mastered the difficult music of the sonnet. Other metrical forms he uses from time to time with considerable beauty and effect. The Dedication is a fair example of his skill.

"TO JOHN QUINCY ADAMS, LATE PRESIDENT OF THE UNITED STATES.

"Long years are past, since, first, in Harvard halls,
Thine ardor roused me: pupil there I heard
Such strains of quickening eloquence as stirred
Youth's inmost soul; fond memory yet recalls
High hopes, ambitious aims, or proud desires,
Caught there in contact with thy kindling fires;
And who can tell how much of after life
Is fashioned to the stamp, which genius prints
On thoughts of ductile youth; what hues and tints

Are there inwrought, which fade not in the strife
 Of later years. My guide, in days of youth !
 My manhood's friend ! to thee the grateful muse
 Glad homage pays ; nor thou the lay refuse,
 To genius due, to virtue, friendship, truth." — p. 7.

We give one more Sonnet, describing the feelings of the author, when a professional student.

"How calm the quiet of the sylvan shade !
 Where, wealth and want unknown, our studious toil
 Nor heeds the city's pomp, nor village broil ;
 But blest with leisure, in the tranquil glade,
 No cares molest us, and no wants invade.
 Ah ! happy days of homebred joy, so spent,
 In rest and toil alternate, — hiving still
 The sweets of science, drinking from the rill
 Of copious knowledge. Seasons came and went,
 Light winged, unburdened. Hope her nameless charm
 O'er all diffused ; the World unsought, unknown,
 At distance seen, in gaudy splendor shone ;
 Nor doubt came yet, to sadden or alarm,
 Nor envy here her withering blast had blown." — p. 11.

The author proceeds to delineate the varying moods of feeling which the young man passes through ; — the hopes, the despondency, the courage and the joy he alternately feels, as he draws near the entrance upon the busy scenes of manly life ; — the mourning for early friends, as they drop down, one by one, in the march ; — the incidents that happen beneath the parental roof ; — the amusements of leisure hours. Then comes the great passion, the absorbing sentiment of Love, which is presented with feeling, delicacy, and taste, never overstepping the modesty of nature. We give two Sonnets upon this subject, hoping they will find favor with our tender-hearted readers.

"Love is the blending of two youthful hearts,
 Each in the other fused ; union entire
 Of end and aim, in passion's glowing fire,
 Which leaves no fracture, nor discordant parts ;
 Abandonment of self, and selfish arts,
 In generous transports of intense desire,
 Intense as pure, — a feeling infinite,
 Which with unbounded service would requite
 The boon it craves ; yet cannot less require
 Than heart for heart, true love's unbounded right.
 Modest and diffident, and of his might
 Distrustful ever, yet doth Love aspire
 To boundless sway, and spreads her gentle power
 Alike o'er lordly hall and lowly bower.

"I tire of days in loveless labor past,
 By beauty's smile unblest. Man was not made
 For selfish joy or sorrow; sad, o'ercast,
 With hopes that fade, and joys that wither fast,
 He droops, untended, in the lonely shade.
 His paradise on earth, his heaven portrayed,
 Is woman's unbought love; all earth beside
 Would dark and worthless prove, were this denied.
 For ne'er ambition's spoils, nor heaps of gain
 The longings of desire could sate, or hush
 The heart's wild transports, throbbing to attain
 True bliss; but O! when love's warm currents gush
 From kindred hearts commingling, man again
 Finds Eden's primal bliss, else sought in vain." — pp. 55, 56.

We cannot give any further extracts. The book goes on, and describes the feelings that spring from the domestic relations, and from the scenes of public life, in which the author was placed. A kind and gentle spirit, a poetical feeling, and an equal temper are here uninterruptedly displayed. Towards the close, a short series of portraits of illustrious statesmen are drawn, with singular fairness, impartiality, and pictorial skill. We have been so much pleased with these books of Mr. Plumer, that we hope he will have time and will to complete his original plan.

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5. — *Colonial Literature, Science, and Education, written with a view of improving the Literary, Educational, and Public Institutions of British North America.* By GEORGE R. YOUNG, Esq. Halifax, N. S. 1842. In 3 Vols. Vol. I. 12mo. pp. 364.

THIS work comes to our notice as a kind of literary curiosity, being the first volume of any pretensions, so far as we remember, which has come to us from the Northern Colonial press. It has further claims to regard as the production of a gentleman well known among his fellow colonists as a barrister of eminence, who, like some distinguished members of the profession in our own and the mother country, devotes his leisure hours to the great public cause of education and literature. Every profession has to bear its share of popular prejudice, and, perhaps, members of the bar are visited with something more than their proportion; and it ought, at least, to be remembered in their favor, that, both in England and this country, the men who have taken the lead in advancing the interests of popular education have been of their number.

The volume before us, which is to be followed by two more, consists of twelve Lectures, part of which were in substance delivered by the author as President of the Institute at Halifax. The publication, when complete, is intended to "sketch a general outline, which the student may afterwards fill up according to natural taste and predilection, of different branches of letters, philosophy, and legislation; — and to aid in this useful labor by giving references to the best authors, where the subjects and questions are fully and elaborately treated." It is a design worthy of the author, and calculated to be of much use, we should judge, especially in the present condition of literature and education in the British Colonies. Indeed, we learn from the introduction, that Dr. Birkbeck, the late lamented President of the London Mechanics' Institution, expressed to the author his approval of the scheme, together with that of several influential friends of popular education in the mother country, of whom Lord Brougham was one. We are glad to observe, that the work is dedicated by permission to Lord Falkland, the Lieutenant-Governor of the Province, in order that official countenance may not be wanting to so good a cause.

It is gratifying to see a man in Mr. Young's position, instead of aiming at the reputation of an original writer, employing his talents upon a kind of work better adapted for practical usefulness among those for whom it is more particularly intended. He is content to give ample space to the speculations and conclusions of the leading minds in their several departments, and wherein they have spoken wisely, they are often allowed to speak for themselves. The proper course in a work like this, "of a strictly educational character," is to inform those who need to be informed of some of the main facts which have been best ascertained in science, and of the elementary truths which have been most approved and best illustrated in the history of human thought. The author has thus condensed much valuable matter into the first three Lectures, by way of sketching the successive stages of knowledge up to the time of modern civilization. In the two following, the subject of education is treated in a national point of view, and a good abstract is given of the more approved European systems of popular instruction.

In the three succeeding Lectures, upon the Condition and Prospects of Education in the Colonies, there is much valuable information that can with difficulty be obtained elsewhere. And those amongst us who take a lively interest in the general cause of popular instruction, irrespective of state and national boundary lines, will be under obligations to the author for enabling them to get some insight into this portion of the subject without the labor

that he must have taken in collecting and examining large numbers of reports and other official documents.

From the subject of Education, both in its local and general aspects, the author passes, in the three remaining Lectures, to a series of observations upon the character of some of those results by which, in the common course of things, education "is justified of her children." Excellence in intellectual production, particularly in oral eloquence, is treated somewhat at length, and the distinctive merits of the ancient and modern styles, with their causes, are compared and contrasted with much propriety. The author has introduced notices of the styles of some of the leading orators of England, as they came under his personal observation, and the reader is thus presented with sketches of several interesting scenes and passages, which he may not find elsewhere.

But we must bring our notice to a close. "During the last three years," says Mr. Young, "the manuscript has lain on my table, and been a source of mental relaxation and refreshment, when an hour of leisure could be spared from graver, and, perhaps, more profitable pursuits." In pursuits more profitable to themselves, perhaps, Mr. Young and many able men in the Colonies, of whom he speaks as cherishing the same tastes as his own, may indeed engage; in some of more immediate interest to the Provinces as a political community, the author has already been honorably distinguished; * but surely, to that public generally, no pursuit can be more truly profitable than the preparation of books, which, although "they do not profess the loftier intention of instructing the scholar, are written to beget a love of literature and education in the colonial mind, and to popularize letters and science in circles where they are not duly appreciated."

6. — *A Gallop among American Scenery, or Sketches of American Scenes and Military Adventure*. By A. E. SILLIMAN. New York: D. Appleton & Co. 12mo. pp. 267.

THIS little volume seems to have been rapidly written, but it displays uncommon qualities of style, and powers of observation. The author has apparently travelled much, both in the United States and in Europe. His sketches of scenery are brilliantly drawn, and his stories and anecdotes well told. Unlike most books

* *Letters to Lord John Russell on Responsible Government and a Union of the Colonies of British North America*. By Geo. R. Young, Esq. Halifax, 1840. *Letters to Lord Stanley on the proposed Repeal of the Union between Nova Scotia and Cape Breton*. By Geo. R. Young, Esq. Halifax, 1842.

so miscellaneous in character, this has a spirit and life, which keep up the reader's interest to the end. It is drawn from fresh nature, and is therefore free from vague or unmeaning epithets. It is written in a hearty and honest tone, and we strike up a pleasant acquaintance with the author at once. We are amused, excited, and frequently instructed by our agreeable companion, and part from him with regret. The character of old Kennedy, the retired sailor, is extremely well managed; and the descriptions of battles he is made to give are piquant and lively. The stories of the medical student and the resurrectionist are very striking. The battle of Lundy's Lane is stirringly told. We are particularly pleased with the dashing picture of Niagara in the winter, though it is not done at sufficient length. It is a matter of great surprise, that a scene of such incomparable splendor, of a magnificence that surpasses the gorgeous invention of an Arabian tale, has not attracted more attention from the lovers of the picturesque. Mr. Silliman and Mrs. Jameson are the only travellers that we now remember, who have attempted to portray the subduing glories of Niagara when heightened by the dazzling embellishments of winter.

We take leave of our author with a lively sense of his descriptive powers, his gayety and good humor, and with many thanks for reviving so agreeably the recollection of places made classical by striking events in American history, or that have grown dear to the heart by the gratifications they have afforded to the love of the beautiful.

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7. — 1. *Sonnets and other Poems.* By WILLIAM LLOYD GARRISON. Boston: Oliver Johnson. 1843. pp. 96.
 2. *Eloquence of Nature and other Poems.* By S. DRYDEN PHELPS. Hartford. 1842. 12mo. pp. 168.
 3. *The Burning of Schenectady and other Poems.* By ALFRED B. STREET. Albany. 1842. pp. 63 and 36.

MR. GARRISON has but little of the poetical element; and he has diminished that little by dwelling perpetually on a single theme. Like all men of a single idea, he expresses himself with energy upon that one; presents it in all its aspects, and enforces it in all its possible applications. Without being a master of style, Mr. Garrison writes with clearness and purity. Some of his sonnets have music, fancy, and point; and all show an earnestness of feeling and purpose, that, if they do not inspire poetry, inspire something like it. We are impressed by this little volume with the conviction that its author possesses powers, which, if turned in a literary direction, and cherished with a large and liberal

culture, would have made a distinguished man of letters. As it is, he has limited their exercise to a cause, which he doubtless considers infinitely more important than "all Greek, all Roman fame"; and therefore can assert but slender claims to the catholic character of a scholar or a poet.

As to the second in our list, Mr. S. Dryden Phelps, it was his misfortune and not his fault to have a middle name. In the title-page of his book, he has complacently printed it at full length, while the prænomen is reduced to the comparative obscurity of an initial. Who knows what perilous ambition the medial name of Dryden may have put into the head of Mr. Phelps? This volume of poems doubtless sprang from this unlucky appellation; an appellation which constitutes Mr. Phelps's entire claim to the rank of a poet. We have read the volume carefully through, without detecting a single gleam of poetical imagination. It presents an unbroken expanse of dreary commonplaces, uttered in a monotonous strain of feeble epithets, flowing insipidity, and tasteless cant. To borrow an expression once applied to Jean Paul's grandfather, it is all "very poor and very pious."

Mr. Street is a poet of a different order. He has acquired a magazine and newspaper reputation of no inconsiderable amount. He has plainly the elements of a poet. He has imagination, perception, and the faculty of seizing on the poetical points of a scene to be described. His language has frequently energy and considerable picturesqueness, and his versification is sometimes felicitous. But he is untrained in the school of taste; he writes often with a spasmodic affectation of strength; he invents abrupt and unearthly compounds; he is for ever rolling in a fine frenzy. Simplicity, directness, truth to nature, are not good enough for him by half. He is constantly working himself up to the terrible, the shocking, the alarming; lashing himself into a wordy fury, that makes the reader gasp for a breath of meaning. We give a few specimens of the vices of Mr. Street's poetical style. What human being would naturally write as follows?

"With baubled brow, but fettered hands
And kingly hound-fangs in his side,
Actæon Europe tottering stands
Mid art and Nature's loftiest pride."

It is hard to say whether the above lines are more absurd or pedantic.

"And that light Comus of the trees,
The aspen, as *the balmy rover*
Creeps by, with mirth is quivering over."

Passing by the circumstance that the aspen is generally considered the symbol of fear, and quite the reverse of a Comus,

what does the reader suppose is meant by "the balmy rover"? The connexion shows it to be the "fitful breeze." This delicate euphuism is worthy of Mr. Richard Swiveller himself, and may be ranked with the "rosy" and "the balmy" of that illustrious member of the "Glorious Appollers."

Another execrable conceit is the following ;

"The other air-boats, moored in nest,
Twitter and chirp themselves to rest."

Think of a boat twittering and chirping. What a brilliant imagination is displayed in calling a *bird* an *air-boat*.

The concluding line of the following is in a style which Mr. Street seems very fond of ;

"To pall the air, strike nature dumb,
And guard with robes her slumbers numb."

The next passage contains a very nice climax ;

"In slumber wrapped, the trader lies,
The wind-steeds trample through the skies
And other noises of the night," &c.

Other tasteless conceits are these ;

"The two whose love
Guided the tottering steps of infancy,
Had gone on high to wear bright wings and raise
Sweet anthems," &c.

"And when Death
Was fastening heavenward pinions to the one," &c.

We might go on quoting similar absurdities to any length. Mr. Street, like Walter Scott, is fond of dropping the article, where the sense absolutely requires its presence ; as,

"Some at the loops aim fruitless ball.
Here, meadow with its shaven brow,
Here, field just furrowed with the plough,
On mountain-lot the axe is swinging,
On slant-roofed stoop, by half-swung door," &c.

Mr. Street, like Mr. Willis, uses the pet word *slant*, on all possible occasions. The adjective is well enough in its way ; but forced upon every sort of nouns, it becomes a finical mannerism.

Lack of taste and intellectual training is the besetting sin of American poetry. The loose and vague use of words, the substitution of epithets for thoughts, the imitation of the faults and vicious mannerisms of the great English poets, are the almost universal badge of the tribe in the United States. This will continue to be our condition, until a better and profounder education shall have been made the basis of American literature.

8. — *History of the Hawaiian or Sandwich Islands*, by JAMES JACKSON JARVES, Member of the Oriental Society. Boston: Tappan and Dennet. 1843. 8vo. pp. 407.

THE author of this work is an American, who has had the advantage of a long residence in the country the history of which he has written, and the greater advantage of such a slight connexion with the conflicting parties there, that it could not prejudice his judgment of their measures. The subject which he treats must be somewhat familiar to most of our readers; for it is not long since Cook's Voyages held a kind of rivalry with Robinson Crusoe, in the love of the young; and any one, who was a school-boy ten years ago, will recollect Owhyhee as readily as his village play-ground. The changes, however, which have taken place in the Sandwich Islands since the visit of the *Discovery* and *Resolution*, give a greater importance to a description of that little group, than it could gain even from the recollection of the favorite book of our school-days. American commerce has made resting-places of its ports, and our missionaries have had so large a share in the civilization, and indirectly in the government, of the inhabitants, that we are naturally anxious to examine the effects of their teaching from other points of view than a religious one. The accounts, which have hitherto been published, are not altogether satisfactory, being either statistical summaries, or the meagre journals of travellers. Mr. Jarves has undertaken to supply the deficiencies of these partial descriptions by compiling, partly from the narratives of others, partly from his personal knowledge, a political history of the Hawaiian nation. He reserves for an additional volume the portraiture of the present manners of the people, and a fuller account of the natural features of the islands.

His book bears many signs of diligence in collecting materials, and he appears to have used them with judgment. The details, which he gives of the intrigues and petty quarrels of the chief personages in this microcosm of a hundred thousand inhabitants, are singularly minute for a country without any records except songs and traditions. The interior of the Hawaiian court, it would seem, is not so much closed to vulgar eyes, as those of more civilized countries. The style which Mr. Jarves has chosen is formal, and sometimes declamatory. A young writer is apt to imagine, that studied periods and a sententious manner are necessary to maintain the dignity of history; but a simpler mode of writing would have freed this book from a certain stiffness which encumbers it. The language, however, in spite of a little overstraining in a few pas-

sages, is clear and energetic ; the introductory chapters, especially, are excellent specimens of descriptive writing.

With respect to the historical portion itself, it seems to be founded, in the main, on native authorities, and represents the conduct of the inhabitants in a more favorable light, than that through which foreigners have hitherto been inclined to view it. Savage tribes, indeed, have been too often excluded from a share in the composition of their own history, and we owe it at least to compassion for the weaker party to hear their side of the question. There is little danger, that any person of a refined mind will be hurried by his feelings too far in the defence of men, whose habits and disposition must often disgust him ; and Mr. Jarves studiously preserves his impartiality by balancing the social vices of the people of the Sandwich Islands against the nobleness and intelligence of a few of their chiefs. One portion of his book is not so free from the appearance, at least, of partisanship. There have been some unfortunate contentions between the English and French consuls and the American missionaries ; and, in speaking of these, our author uses at times a bitterness of expression, with which his readers, at a distance from the scene of these transactions, cannot wholly sympathize. It is very natural, that one, who has himself witnessed grievous wrongs, should write about them warmly and freely ; still, Mr. Jarvis would have done well to consider, whether greater calmness might not have increased the effect of his exposures. These faults of style are easily corrected, and we have noted them the more frankly, because they are all which we have been able to detect. The events in his narrative are well grouped, and the principal characters firmly and consistently drawn. There is much, also, suggestive of new ideas to any one of a speculative mind, in his sketches of the rapid civilization of the people of this small cluster of islands, — of the working of their feudal system and constitutional monarchy, and of the management of their House of Representatives and their double Executive.

Some recent occurrences, which the author could scarcely have anticipated, have given a graver interest to the subject of his work, by connecting the fate of the Sandwich Islands with questions of international policy ; and we regret, on that account, that we are not able to notice it more fully. Its literary merits, however, apart from the political importance of the information which it contains, will gain for it many readers.

NOTE

TO ARTICLE IV. OF NUMBER 119.

IN an article which appeared in one of the daily papers of this city, in reply to the review of Mr. Dillaway's edition of the "Tusculan Questions" in our last number, the following paragraph occurs :

"In regard to the text he has followed, we are somewhat surprised at a remark of the reviewer. He supposes this text to be simply a reprint of the small London edition, frequently called the "Regent's Edition." Of this edition he speaks somewhat contemptuously, but evidently without having taken the pains to ascertain whether Mr. Dillaway had followed it or not. If he had examined as carefully as he pretends to have done, the very first pages of the very first of the series, — Cicero's *Treatise de Senectute*, — he would have found that the first page differs from the Regent's edition in two instances, — lines 5 and 11 ; the second page in five instances, — lines 2, 3, 4, 16, 17 ; the third page in two instances, — lines 15, 17 ; and the fourth page in three instances, — lines 11, 13, 17 ; — twelve variations in the first four pages !"

We have again compared the two editions and find that "the twelve variations," — which, without the writer's suggestion, we should certainly not have considered as constituting a difference of the text, — are as follows : In the first instance, Mr. Dillaway has a comma after "Flaminium," the Regent's edition has none ; in the second, third, fourth, and fifth, Mr. Dillaway has a comma after "humanitatem," "urgentis," "et te," and "et ferre," the Regent's edition none ; in the sixth, Mr. Dillaway prints "senectute" with a small s, the Regent's edition with a capital ; in the seventh, Mr. Dillaway has no comma after "tribuimus," the Regent's edition has one ; in the eighth, Mr. Dillaway prints "eamdem," the Regent's edition "eamdem" ; in the ninth, tenth, and eleventh, Mr. Dillaway has a comma after "obrepere" and "ajunt," "nobis" and "speramus," the Regent's edition none ; and in the twelfth, Mr. Dillaway has a comma before and after "ut dicis," the Regent's edition a parenthesis, "(ut dicis.)" It is evident that one of two inferences must be true ; either that the writer considers these "variations" as constituting a difference of the text, or that he intended that his readers should consider them as such on the strength of his assertion. We are neither able nor disposed to decide which is the true inference.

QUARTERLY LIST OF NEW PUBLICATIONS.

AGRICULTURE.

Improvements in Agriculture, Arts, &c., of the United States. By Henry L. Ellsworth, U. S. Commissioner of Patents. To which is added, a Treatise on raising Swine. Also, a Treatise on Geology, as connected with Agriculture. New York: Greeley & McElrath. 8vo. pp. 80.

BIOGRAPHY.

The Karen Apostle; or, Memoir of Ko Thah-Byu, the First Karen Convert, with Notices concerning his Nation. By the Rev. Francis Mason, Missionary to the Karens. Revised by H. J. Ripley. Boston Gould, Kendall, & Lincoln. 16mo. pp. 153.

Memoirs of the Rev. Samuel Munson, and the Rev. Henry Lyman, late Missionaries to the Indian Archipelago. By the Rev. William Thompson. New York: D. Appleton & Co. 12mo. pp. 196.

John Tyler; his History, Character, and Position; with a Portrait. New York: Harper & Brothers. 8vo. pp. 40.

American Naval Biography, by John Frost, A. M. Part I. Philadelphia: E. H. Butler. 8vo. pp. 72.

Life of John C. Calhoun. Presenting a Condensed History of Political Events from 1841 to 1843. New York: Harper & Brothers. 8vo. pp. 76.

The Christian Patriarch. A Memoir of Deacon John Whitman; who died at East Bridgewater, Massachusetts, July, 1842, at the advanced Age of 107 Years and 3 Months. By the Rev. Jason Whitman. Boston: William Crosby & Co. 12mo. pp. 101.

The Veil Removed; or Reflections on David Humphrey's Essay on the Life of Israel Putnam. Also, Notices of O. W. B. Peabody's Life of the Same, S. Swett's Sketch of Bunker Hill Battle, etc. By John Fellows. New York: James D. Lockwood. 1843. 12mo. pp. 231.

Sketch of the Life of the Hon. Isaac Fletcher. By Isaac F. Redfield. Burlington: Printed by Stilman Fletcher. 1843. 8vo. pp. 23.

EDUCATION.

A System of Modern Geography, comprising a Description of the Present State of the World, and its five great Divisions. Embellished by numerous Engravings, and illustrated by an Atlas of 18 Maps. By S. Augustus Mitchell. Philadelphia: Thomas, Cowperthwait, & Co. 16mo. pp. 336.

The Mount Vernon Reader; a Course of Reading Lessons, selected with Reference to their Moral Influence. Designed for Junior Classes. By the Messrs. Abbott. Boston: Benjamin B. Mussey. 12mo. pp. 162.

Child's First Book of Spelling and Reading. By a Teacher. Boston: T. Harrington Carter. 16mo. pp. 80.

A Complete Set of Geographical Questions, adapted to the Various School Atlases in common Use. Boston: T. H. Carter. 16mo. pp. 31.

Juvenile Drawing-Book; being the Rudiments of the Art, in a Series of Progressive Lessons. Designed by John Reubens Smith. Philadelphia: John W. Moore. 4to.

Drawing-Book of Trees, exhibiting the whole Process of Sketching and Shading the different Kinds of Foliage, in the most familiar Manner. By Benjamin H. Coe, Teacher of Drawing. Hartford: E. B. & E. C. Kellogg. 4to. pp. 12.

Easy Lessons in Landscape Drawing, with Sketches of Animals and Rustic Figures, and Directions for using the Lead Pencil. Designed for Schools. By Benjamin H. Coe, Teacher of Drawing. Boston: Saxton & Peirce. 4to. pp. 36.

A new System of Geography, on the Classification Plan; being an Arrangement of Modern Geography, adapted to Smith's Atlas. By Charles Morrill. Concord, N. H.: Morrill, Silsby, & Co. 12mo. pp. 24.

Linear Drawing Book, designed for the Use of Schools, and Practical Purposes. By Samuel Smith. Philadelphia: Edward C. Biddle. 4to. pp. 48.

First Lessons in Grammar. For the Use of Young Pupils, in Schools and Families. Boston: T. H. Carter & Co. 12mo. pp. 90.

A Classical Spelling-Book; containing Rules and Reasons for English Orthography and Pronunciation; derived from a Complete Analysis of the Language. By the Rev. A. B. Chapin, M. A. Boston: Saxton & Peirce. 12mo. pp. 180.

Latin Lessons, Introductory to Andrews's Latin Reader, and Andrews's and Stoddard's Latin Grammar; with Appropriate Exercises, for the Translation and Writing of Latin. By Allen H. Weld, A. M. Portland: R. H. Sherburne. 24mo. pp. 224.

A Systematic Text-Book of English Grammar on the Eclectic Plan; with Progressive Questions and Exercises. By Smith B. Goodenow, A. M. Second Edition, enlarged and improved. Boston: Lewis & Sampson. 1843. 12mo. pp. 142.

The Anabasis of Xenophon, chiefly according to the Text of L. Dindorf; with Notes, for the Use of Schools and Colleges. By John J. Owen, Principal of the Cornelius Institute. New York: Leavitt & Trow. 1843. 12mo. pp. 366.

HISTORY.

Pictorial History of the United States. By John Frost, A. M. Vol. I. No. I. Philadelphia: E. H. Butler. 8vo. pp. 64.

The Criminal History of the English Government; from the First Massacre of the Irish, to the Poisoning of the Chinese. By Eugene

Regnault. Translated from the French, with Notes, by an American. New York: J. S. Redfield. 12mo. pp. 314.

History of Congress; exhibiting a Classification of the Proceedings of the Senate, and the House of Representatives, from March 4, 1789, to March 3, 1793. Philadelphia: Lea & Blanchard. 8vo. pp. 736.

Ancient Egypt; her Monuments, Hieroglyphics, History, and Archæology, and other Subjects connected with Hieroglyphical Literature. By George R. Gliddon, late U. S. Consul at Cairo. New York: J. Winchester. 4to. pp. 67.

Sketches of Bunker Hill Battle and Monument; with Illustrative Documents. Charlestown: C. P. Emmons. 16mo. pp. 172.

JUVENILE BOOKS.

Annie Moore; a Tale for the Young. By her Mother. New York: Saxton & Miles. 16mo. pp. 80.

Marco Paul's Travels and Adventures in Pursuit of Knowledge. Vols. II. and III. On the Erie Canal, and the City of Boston. By Jacob Abbott. Boston: T. Harrington Carter & Co. 12mo. pp. 144.

The Child's Scrap-Book. Boston: Otis, Broaders, & Co. 12mo. pp. 70.

Jemmy's Journey. Boston: B. B. Mussey. 12mo. pp. 64.

The Child's Picture Gallery. Boston: Otis, Broaders, & Co. 12mo. pp. 88.

The Rollo Picture-Book, for Small Children; or Mamma's Stories to Little Mary. Boston: Otis, Broaders, & Co. 12mo. pp. 84.

The Remarkable Story of Chicken Little. Boston: T. H. Carter & Co. 8vo. pp. 8.

Mary's Choice; or the Good Part Preferred. By J. K. Waite. Boston: Benjamin H. Greene. 12mo. pp. 42.

The Adventures of Hernan Cortes, the Conqueror of Mexico. By the Author of "Uncle Philip's Conversations." New York: D. Appleton & Co. 12mo. pp. 186.

Little Stories for Little People. Boston: William Crosby & Co.

The Youth's Plutarch, or Select Lives of Greeks and Romans. Adapted to the Use of Schools and Families. By the Author of "American Popular Lessons," &c. New York: W. E. Dean. 1843. 18mo. pp. 256.

LAW.

Reports of Cases Argued and Determined in the Supreme Court of Errors of the State of Connecticut. By Thomas Day. Vol. XIV. Hartford: Case, Tiffany, & Co. 8vo. pp. 636.

Reports of Cases at Law and in Equity, Argued and Determined in the Supreme Court of Alabama, during part of June Term, 1841, and January Term, 1842. By the Judges of the Court. Vol. III. New Series. Tuscaloosa: Marmaduke J. Slade. 8vo. pp. 829.

Reports of Cases Argued and Determined in the Supreme Court of Judicature of New Hampshire. Vol. IX. Concord: Asa McFarland. 8vo. pp. 604.

MEDICINE, ANATOMY, AND SURGERY.

A System of Practical Surgery. By William Fergusson, F. R. S. E.; Professor of Surgery in King's College, London. With 246 Illustrations, from Drawings by Bagg; and Notes and Additional Illustrations, by George W. Norris, M. D. Philadelphia: Lea & Blanchard. 8vo. pp. 629.

The Elements of Materia Medica and Therapeutics. By Jonathan Pereira, M. D., F. R. S. With Numerous Illustrations. From the Second London Edition, Enlarged and Improved, with Notes and Additions, by Joseph Carson, M. D. Philadelphia: Lea & Blanchard. 2 vols. 8vo. pp. 714 and 852.

A Demonstration of the Curability of Pulmonary Consumption, in all its Stages. By William A. McDowell, M. D. Louisville, Ky.: Prentice & Weissinger. 8vo. pp. 269.

MISCELLANEOUS.

Annual Report of the Board of Trustees of the Massachusetts General Hospital, for the Year 1842. Boston: James Loring. 8vo. pp. 40.

Capital Punishment. The Argument of the Rev. George B. Cheever, in Reply to J. L. O'Sullivan, Esq. New York: Saxton & Miles. 12mo. pp. 108.

The Maine Register, and National Calendar, for the Year 1843. Compiled by Samuel L. Harris. Augusta: Daniel C. Stanwood. 12mo. pp. 258.

Martha Washingtonianism; or a History of the Ladies' Temperance Benevolent Societies. By Lorenzo D. Johnson. Boston: Saxton, Peirce, & Co. 12mo. pp. 88.

The Domestic Book Keeper and Practical Economist; suggesting how to Live Independently, and how to be Independent while we Live. By Lemuel Shattuck. Boston: Published by the Author.

Description of the Croton Aqueduct; by John B. Jervis, Chief Engineer. New York: Slamm & Guion. 8vo. pp. 31.

Official Army Register, for 1843. Published by Order of the Secretary of War. Washington: Adjutant-General's Office. 8vo. pp. 52.

Navy Register of the United States, for the Year 1843. Washington: B. Homans. 8vo. pp. 72.

The Last Day of the Condemned, by Victor Hugo, Esq. Translated from the French. Also, The Last Judgment, and Last Lament. By the Rev. D. Newell. New York: W. H. Newell & Co. 8vo. pp. 32.

The Law and Method of Spirit-Culture; and Interpretation of S. Bronson Alcott's Idea and Practice at the Masonic Temple, Boston. By Charles Lane. Reprinted from the Dial, No. XII., for April, 1843. Boston: J. Munroe & Co. 8vo. pp. 40.

The Philosophy of Reform; a Lecture Delivered before the Berean Institute, in the Broadway Tabernacle, New York, January 20th, 1843; with Four Discourses upon the same General Topic, delivered

in New York and Brooklyn. By the Rev. E. H. Chapin, of Charlestown, Mass. New York : C. L. Stickney. 16mo. pp. 136.

The May-flower; or Sketches of Scenes and Characters among the Descendants of the Pilgrims. By Mrs. Harriet Beecher Stowe. New York : Harper & Brothers. 12mo. pp. 324.

Conquest and Self-Conquest: or which makes the Hero? New York : Harper & Brothers. 12mo. pp. 216.

The Simple Cobbler of Aggawam, in America. By the Rev. Nathaniel Ward. Edited by David Pulsifer. Boston : James Munroe & Co. 12mo. pp. 96.

Mental Hygiene, or an Examination of the Intellect and Passions, designed to illustrate their Influence on Health and the Duration of Life. By William Sweetser, M. D., late Professor of the Theory and Practice of Physic, and Fellow of the American Academy of Arts and Sciences. New York : J. & H. G. Langley. 12mo. pp. 270.

Reports of the First, Second, and Third Meetings of the Association of American Geologists and Naturalists, at Philadelphia, in 1840 and 1841, and at Boston in 1842. Boston : Gould, Kendall, & Lincoln. 8vo. pp. 544.

Lectures on the Philosophy of Mesmerism, delivered in the Marlborough Chapel, January 23d to 28th, 1843. By John Bovee Dods, of Boston. Boston : Redding & Co. 12mo. pp. 68.

Wild Scenes in the Forest and Prairie. With Sketches of American Life. By C. F. Hoffman, Author of "A Winter in the West," &c. New York : William H. Colyer. 12mo. pp. 418.

The American Mechanic. By Charles Quill, Author of "The Workingman." Philadelphia : Perkins & Purves. 12mo. pp. 285.

The Workingman. By Charles Quill, Author of "The American Mechanic." Philadelphia : Perkins & Purves. 12mo. pp. 287.

A Statement of the Principles of the Christian Union. New York : George W. Wood & Co. 8vo. pp. 12.

Conservatives and Reformers. A Pamphlet for the Times. By Quintus. Boston : James Munroe & Co. 8vo. pp. 27.

Lectures to Young People. By Dorus Clarke, Pastor of the Congregational Church, Chicopee Factory Village, Springfield. With an Introduction by Amos Blanchard. New York : Saxton & Miles. 12mo. pp. 220.

Thirty Years from Home; or, a Voice from the Main Deck: being the Experience of Samuel Leech, who was for Six Years in the British and American Navies. Embellished with Engravings. Boston : Tappan & Dennet. 12mo.

A Collection of Papers on Political, Literary, and Moral Subjects. By Noah Webster, LL. D. New York : Webster & Clark. 8vo. pp. 373.

The Condition of the Insane in Massachusetts. By R. C. Waterson. Boston : James Munroe & Co. 8vo. pp. 23.

Celebrated Crimes. The Countess of St. Geran, Vaninka, and Nisida. Translated from the French of Alexandre Dumas. New York : J. Winchester. 4to. pp. 32.

A Memoir on the Northeastern Boundary, in Connexion with Mr. Jay's Map, by the Hon. Albert Gallatin, LL. D., President of the New York Historical Society. With a Speech on the same Subject,

by the Hon. Daniel Webster. Delivered at a special Meeting of the New York Historical Society, April 15th, 1843. Illustrated by a Copy of the "Jay Map." New York. 8vo. pp. 74.

MUSIC.

The American National Song Book ; a Collection of Patriotic, Military, Naval, Moral, Sentimental, and Popular Songs, for the People. With Familiar and Original Music. By Uncle Sam. Boston : Benjamin B. Mussey. 12mo. pp. 180.

The American Sunday School Singing Book ; containing Hymns, Tunes, Scripture Selections, and Chants, for Sunday Schools. By Lowell Mason. Philadelphia : Perkins & Purves. 16mo. pp. 112.

Book of Chants ; consisting mostly of Selections from the Sacred Scriptures, adapted to Appropriate Music, and arranged for Chanting. By Lowell Mason. Boston : J. H. Wilkins & R. B. Carter. 12mo. pp. 180.

NEW PERIODICALS.

The True Catholic ; Reformed, Protestant, and Free. Edited by Members of the Protestant Episcopal Church. Vol. I. No. I. May, 1843. Baltimore : Joseph Robinson. 8vo. pp. 48.

The Biblical Cabinet. No. I. May, 1843. Philadelphia : J. M. Campbell & Co. 8vo. pp. 96.

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NORTH AMERICAN REVIEW.

No. CXXI.

OCTOBER, 1843.

ART. I. — *Documents from the Department of War, accompanying the President's Message to Congress, at the Commencement of the Third Session of the Twenty-Seventh Congress.* 1842. 8vo. pp. 354.

MILITARY education has been regarded by all nations, whether barbarous or civilized, as an important measure of national policy. Although science in the management of armies and the conduct of battles was displayed by the great generals of antiquity, whether leading hordes from the desert or at the head of disciplined soldiers, yet the camp was the only school where the elements of military knowledge were taught. Early education was directed rather to the development of physical power and the cultivation of patriotic sentiments, than to the acquisition of scientific principles which could be afterwards practically used. But when liberty was destroyed by the lust of conquest, when mercenaries were employed by the state, and citizenship ceased to be required of a soldier, when the ranks of the army were recruited from the refuse of the people, and war, although "improved into an art, was degraded into a trade," patriotism was no longer an essential element of military education.

The invention of gunpowder, by revolutionizing war, produced a greater change in the military education of youth. Physical strength was of little avail against invisible messengers of death. Armor encumbered, instead of defending, the wearer. Battles were gained more by skill and less by

courage. Strategy took the place of personal daring. Science, brought to the attack of a fortified place, calculates to a day the period of its reduction, and renders a parallel to the siege of Troy, of Veii, or of Numantia, impossible in modern times. Positions are more important than numbers; and although the larger will always overcome the smaller force where the disparity is great, yet the campaigns of the mighty captain, who "chained to his biography the history of Europe," demonstrate that the power of mind, whether original as the inspiration of genius, or acquired through the instrumentality of education, does more for the success of military operations, than the magnitude of an army, the perfection of its appointments, or the valor of the troops.

The superiority of science was amply shown during the seventeenth century, in the campaigns of Turenne, and by the exploits of Marlborough in the commencement, and the achievements of Frederic in the middle, of the eighteenth century; and war was even then elevated from the rank of an art to the dignity of a science. The necessity of early scientific education was not, however, fully comprehended. Although George the Second, in 1741, had founded the Royal Military College at Woolwich, and elementary schools existed also in France, Russia, and Austria, they had acquired no practical importance. The subject did not receive the attention it deserved until the French Revolution had desolated Europe, — until nations began to tremble for their independent existence, and the propagandism of France shook to its base every throne on the continent. During that period, the Polytechnic School was erected, military colleges were founded in England, and this country, urged by the recommendations of its great men and the experience of its Revolution, established the national institution at West Point.

This institution has lately been the object of much censure, and the tenor of the objections advanced against it shows that its character is misunderstood. We believe the existence of this Academy to be essential to the national safety and honor, and that it deserves the cordial support of the American people. Believing, also, that opposition will cease when accurate information concerning it shall be generally diffused, we propose to give a statement of its interior organization and management, in greater detail than has hitherto appeared in print.

A Cadet is a warrant officer of the army, holding a rank intermediate between the highest class of non-commissioned officers and the lowest class of subalterns. The students at the Military Academy are, therefore, a corps of United States officers, subject to the orders of the President, like other members of the army. The engineers are stationed at West Point, which is a military post, and, together with certain professors and teachers appointed by law, they constitute the Academy. The Cadets are a part of the Engineer Corps, the commandant of which is the Inspector of the School. The Superintendent is appointed from this corps, and no officer, except the inspector, can command at the post but as his subordinate.

The Military Academy is not merely a college, from which, as from other institutions, a student can withdraw at his option. It is a military post, to which warrant officers are ordered at the discretion of the President, to receive practical and scientific military instruction. The Cadets may, at any period, be detached from this post to perform services of any other nature, at any other place. Like all officers or soldiers, they are bound to perform the duty required of them so long as the President chooses to require it. Upon entering the army as Cadets, they sign an enlistment and take the oath of allegiance like common soldiers, their period of enlistment being eight years instead of five. They receive a pay of twenty-eight dollars per month, and are subjected to the Army Regulations, to the Rules and Articles of War, and to trial and punishment by a garrison or general court-martial. When dismissed, they are "dismissed from the *service* of the United States," and, upon graduating, they are *promoted* to a higher rank. Although resignations are seldom refused, neither a Cadet nor a commissioned officer has any absolute right to be discharged. The engagement of the former to serve for eight years, therefore, imposes upon him no greater obligation to remain in the service, than if he had received a commission instead of a warrant. It may, however, deter those from joining the Academy, who do not intend to adopt the profession of arms, and, by rendering discreditable an attempt to violate their original contract, cause them to remain in the service longer than was formerly the case.

The number of Cadets is limited by a late law to one for

each Congressional District and Territory, and ten to be taken at large, making about two hundred and forty in all. Warrants are conferred by the President, on nomination by the Secretary of War. Candidates are presented to the Secretary by the members of Congress, who make their selections from the applicants in their districts according to their own principles. Those nominated at large are appointed without reference to their place of residence, and thus the sons of persons who, being in the employment of the government, have no fixed domicile, are enabled to enjoy the benefits of the Academy.

Candidates are ordered to repair to West Point and report themselves to the Superintendent, between the 1st and 20th of June in each year. They are there quartered in the barracks, instructed in the school of the soldier, and those branches of knowledge required for admission, which are very few, being only the rudiments of an indifferent English education. They must be at least sixteen years old, and not over twenty-one, not less than five feet high, and must not be deformed, nor afflicted with any disease or infirmity which would render them unfit for military service. Any boy of three years' standing in any public school of Massachusetts is qualified, in point of information, to enter the Military Academy. Though some individuals from the Atlantic States have received warrants after a successful and distinguished collegiate course, yet the character of the institution is so popular and democratic, that instances are not infrequent, where the necessary arithmetical knowledge is almost wholly gained in the two or three weeks of preliminary instruction. Some of the brightest ornaments of the Academy were rejected upon their first attempts to enter, and finally succeeded only by close application, during the time of encampment, in qualifying themselves to pass an examination in September, which is sometimes allowed.

The organization of the corps is two-fold, having separate objects in view. In reference to instruction, the Cadets are divided into four classes. The class corresponding to the freshmen in a college is called the Fourth; the graduating members, corresponding to the seniors, form the First class. Each class is divided into a convenient number of sections, according to the ascertained order of their merit, the divisions being distinct for different subjects of study.

The military character of the corps is that of an infantry battalion of four companies. A commissioned officer of the army, styled "Commandant of Cadets," assisted by four Lieutenants, is charged with the internal police and discipline of the corps. Each company has its complement of officers permanently appointed from the Cadets themselves. These appointments are conferred by the Superintendent upon those who have been most active and soldierlike in the performance of their duties, and most exemplary in their deportment, but without reference to merit in studies. The Captains and Lieutenants are usually selected from the First, the Sergeants from the Second, and the Corporals from the Third class. The Fourth, and those of the other classes who have not received appointments, constitute the rank and file. Strict military etiquette is observed towards these officers by the other Cadets on duty, and they exercise an important influence in the discipline of the school.

Upon all occasions, when the corps, or a portion of it, is under arms, the officers perform the usual military services. The Captains and Lieutenants serve their *tours* of guard according to the Army Regulations. The officer of the day has the particular supervision and command of the guard, is present at parades and roll-calls for military purposes during his *tour*, and takes the names of absentees, and is responsible for public property deposited in the guard-room. Each company and its quarters are under the instruction of an Assistant Instructor of Tactics, being divided into subdivisions intrusted to the immediate care of a Cadet officer, who is at all times responsible for the preservation of good order. Each room is in charge of one of its inmates, styled the "*orderly*," who is answerable to the superintendent of his subdivision. For the purposes of meals, the battalion is arranged into squads corresponding to the number of tables. The "*squad marcher*" is generally a Cadet officer, who acts as carver, and is charged with the preservation of order at his particular table. The highest Cadet Captain, assisted by one or more subordinates, is superintendent of the mess hall. He conducts the battalion to and from meals, preserves order in the hall, and enforces observance of the mess regulations.

Upon the faithfulness of these officers much of the discipline depends, and the degree of faithfulness is proportioned

to the military spirit of the corps. Their duties are strictly defined ; and undue exercise of authority, or a captious, domineering manner, is restrained by what may be termed the public opinion of the corps. But in so large a body of young men, there will always be some who cannot appreciate the necessity of observing minute regulations, and others who continually violate them from carelessness or design. The Cadet officers are, therefore, necessarily brought at times into collision with their companions, and compelled by occasional violations of prescribed rules, or accidental departures from established etiquette, to neglect their duty, or to report a friend or a messmate.

These effects of the system have induced some to think that one Cadet should not be required to inform against another. The Board of Visitors, whose report at the June examination of the last year will be found amongst the documents placed at the head of this article, in reference to this subject use the following language.

“ The duty of supervising and reporting upon the conduct of equals and associates is at once difficult and invidious ; and were it possible to hope that youthful virtue would not sometimes yield to the pressing temptations which must beset it, there might still be reason to doubt, whether the most exact and rigorous fulfilment of such a duty can be favorable to the character, either of him who reports, or of those who are reported.”

That some plausible objections may be urged against the system is not denied. The experience of more than thirty years, however, has proved it, on the whole, to be highly advantageous. The organization of the corps as a battalion could not otherwise be maintained, nor could the students acquire a practical knowledge of discipline ; by which is understood method and order in performing whatever is required of a soldier. The system also offers great inducements to correct deportment, and raises to a high standard the military spirit of the corps. The Cadet officers never act as spies. Treacherous information would be despised, and no instances of it have ever occurred. When not on duty, there is no distinction between the officers and the other Cadets ; at other times, the distinction is well understood and properly maintained.

The studies pursued at the Academy are, for the most

part, scientific. General literature, the languages, except French, *belles lettres*, and the classics form no part of the course. Some misapprehension has existed on this subject, and a detailed account may therefore be interesting.

The course may be considered under three heads ; the first relating to military affairs, the second to scientific, and the third to miscellaneous subjects. The first division comprehends infantry tactics and military police, artillery tactics, the theory and practice of gunnery, pyrotechny, including the actual manufacture of all the different fireworks and combustible materials used in war, fencing, and horsemanship. The second division comprehends mathematics, including algebra, geometry, trigonometry, mensuration, descriptive geometry and the applications of it, analytical geometry, and the differential and integral calculus. It also embraces chemistry, mineralogy and geology, natural and experimental philosophy, including statics, dynamics, hydrostatics, hydrodynamics, the phenomena of magnetism, electro-magnetism, and light, with the construction and use of the instruments necessary to illustrate their principles, and a very minute course of astronomy. Engineering and the science of war are taught, comprehending such a course of civil engineering as to form an admirable basis for the education of a professional man in constructing common roads, railroads, canals, bridges, and harbours. Permanent and field fortification, the composition and organization of armies, castrametation, and the principles of strategy, are also thoroughly taught. The third division includes instruction in the French language, drawing, English grammar, rhetoric, logic, geography, modern and ancient history, moral philosophy, and political science.

This extensive course is well learned by every graduate. The time allotted for study and recitation is never more than ten, nor less than nine, hours every day from September to June. Some individuals, wishing by any sacrifice to meet the demands of the institution, have devoted to study a much longer time, encroaching even upon the period assigned for sleep. This severe application occasionally injures the health ; but methodical habits, temperate living, and regular exercise generally remedy the evil.

The method of instruction adopted at the Academy is peculiar and well calculated to make the students familiar

with the whole course. In those subjects relating to military affairs, the instruction is almost entirely practical. Immediately after the annual June examination, the Cadets go into camp, where they remain until the 28th of August. The camp is a school of practice, there being no recitations during its continuance, except upon a few military subjects by the first class. From the 15th of March to the 1st of November of every year, there is one drill, and during the time of encampment there are several drills, every day. Recitations in tactics are confined to the first class, but the continual performance of manœuvres renders each Cadet so well acquainted with them, that long before he graduates he is competent to instruct a battalion, and could as easily forget his alphabet, at any period of his life, as the evolutions and words of command of infantry tactics.

The Academic year is divided into two terms, the first extending from September to January, the second from January to June. During these two periods, the Cadets study the subjects named under the second and third heads. In mathematics, philosophy, and engineering, the instruction is proportioned to the capacity of the students in the different sections, the more profound and difficult investigations being reserved for the higher sections. Each department has its chief, who is charged with the general direction of the class in that department. Every instructor keeps a daily memorandum of the progress of his pupils and of their relative merit. At the end of the week, he makes a report to the head of his department, who returns it, with that of the section under his immediate care, to the Superintendent. From the weekly class-reports a consolidated report of progress during the month is made up and forwarded to the Inspector, who transmits an abstract of it to the parent or guardian of each Cadet. The weekly reports show the character of every recitation during the week. Each Cadet is required to give such explanations at the black-board as to satisfy the instructor that the lesson is understood, as well as committed to memory. A number indicating the merit of the recitation is affixed to the pupil's name according to a designated scale. The sum of his marks determines his comparative and absolute standing for the week. Should he fall below the required standard, he is transferred to a lower section; and should he rise

above it, he is promoted to a higher one ; but no transfers are made from class to class, except in regular progression, or by turning those who appear deficient into the class below. At the end of each term, there is an examination, at which the attainments of every Cadet undergo an elaborate, searching, and severe investigation. From his appearance upon these occasions, connected with the recorded results of his daily recitations, his relative merit is determined in the different branches of the course.

At the first January examination after the new Cadets enter, their probation terminates. Those who pass it satisfactorily receive their warrants. Those who have failed to make due proficiency, or whose general conduct is unsatisfactory, are recommended for discharge. If a Cadet fail to pass a good examination in June, he is "found deficient" and not permitted to proceed with his class. If his deficiency be attributable to incapacity or inattention, he is discharged ; otherwise, he is allowed to make a second attempt in the class which overtakes him. A second failure insures his discharge. At this examination, the names of the Cadets are arranged in the order of "aggregate merit," as determined for each from his merit in the various subjects of study. This roll is published, and the names of the first five of each class are reported to the Department of War for insertion in the Army Register, with a statement of the studies in which they excel. At the end of the course, the graduating class receive diplomas signed by the Academic Board. Their names are presented to the Secretary of War, with recommendations for commissions in the army. In reference to their promotion, the class is divided into three sections. Those in the first, only, are deemed competent to perform the duties of military engineers, and are recommended for any corps they may select. Those in the second division may select any corps, except that of the military engineers ; and those in the third, are confined to the infantry and dragoons. The relative rank of the graduates corresponds with their standing on the merit roll. Should there be no vacancy in the corps selected, they are attached to it with brevets of second lieutenants.

To the method of instruction, uniting the schemes of the school and of the university, the success of the Academy is chiefly owing. It is the great fault of most colleges, that the

students individually receive but slight attention. Explanations directed to produce a perfect comprehension of the lesson, and adapted to the capacity of each individual, are seldom, if ever, bestowed. Difficult parts of a course are often slighted, and such a superficial knowledge acquired of the subjects, as to render a diploma no certain criterion of knowledge. At West Point, the reputation of each instructor depends upon the success of his section. Each pupil undergoes a daily examination, and does not go through a merely formal recitation. Great pains are bestowed to make him understand, as well as recollect, what he studies. Every Cadet who passes from one class to another has sufficiently proved that he is acquainted with the course. A diploma from the Military Academy affords conclusive evidence, that the owner of it, when he graduated, had a thorough knowledge of every thing taught in the institution.

During term time, only about two hours a day, with Saturday afternoon, are allowed for recreation. In camp, nearly all the time not occupied with military duties is thus employed. The class about commencing their third year are allowed furloughs from the end of the examination to the last of August, if their demerit for the preceding year does not exceed 150. The hotel, which is freely visited on obtaining leave, affords the principal source of amusement. Fifteen years since, West Point having no public house was a place of comparatively little resort, and the corps resided there in almost total seclusion. The hotel has produced a great and beneficial change upon the character of the Cadets, by affording them the advantage of cultivated and refined female society. This intercourse relieves the monotony of military duty, and has changed the summer from a period of wearisome idleness to one of rational amusement. It has improved the manners, enlarged the ideas, and elevated the *morale* of the students very perceptibly to those whose experience, twenty years since, enables them to judge of the effects of the opposite system, which then prevailed. Recreation, however, is never suffered to interfere with the punctilious performance of duties. A young lady is not unfrequently surprised to see her partner abruptly quit her side, and hasten, at the beat of drum, to answer to his name at the roll-call.

Discipline is maintained by a system of punishments, not

severe, but rigidly enforced. They consist of privation of recreation, extra *tours* of guard, reprimands, arrests, or confinement to room or tent, which are inflicted by the Superintendent or with his approbation; confinement in the light or dark prison, inflicted by the sentence of a garrison court-martial; and dismissal, with the privilege of resigning, or public dismissal, by sentence of a general court-martial. Besides the less severe punishments, every offence brings with it consequences, which, like the pangs of remorse, are felt by the offender through his future life, — its effects upon his final standing in his class. This subject has been entirely misunderstood, and justice to the Academy requires that it should be minutely explained.

Every offence against standing regulations, occasional orders, or what may be called the military common law, such as violations of etiquette or unsoldierly behaviour, is reported to the Commandant. If the offender cannot satisfactorily excuse himself, the report is registered against him. Offences are divided into seven classes, each one comprehending those of equal magnitude and represented by a number. In the first year, *ten* stands for the highest and *one* for the lowest degree of “criminality.” For each succeeding year, the rate is increased by adding one-sixth for the second, one-third for the third, and one-half for the fourth year. The total demerit is indicated by “the sum of the products of the number of offences of each class, by the number which expresses the criminality of one offence of that class.” If this sum is more than 200, the offender is deficient in conduct and is recommended for discharge. At the June examination, the demerit of each graduate, during his whole Academic term, connected with his merit in the different subjects of study, is considered in determining his standing. Thorough knowledge of the course, alone, does not secure to a Cadet the highest rank in his class. His general behaviour sensibly affects his final success. He is urged by its great and permanent influence to render, during his Academic career, that conscientious and scrupulous obedience which is the basis of a military character.

The conduct roll has been appealed to by the enemies of the Academy, as proving the conduct of the corps to be very bad. A little reflection will show that the accusation is entirely unjust. The offences registered on this roll im-

ply no moral delinquency. Carelessness and inattention, which elsewhere are considered as unimportant, are faults in the Military Academy. Literal, implicit, unhesitating obedience is inculcated as the first obligation of a soldier, and such strict regard is required to every demand of discipline, that, if it were exacted in a college, it would raise a rebellion. The Cadet who appears in slovenly costume on military duty commits a breach of military propriety. Habitual negligence in small matters of a similar nature, indicated by a demerit of 200, shows him to be unfit for a service which requires attention to the *minutiae* of discipline, and freedom from the disgrace of immorality. Yet his conduct might exhibit no serious fault, and might be consistent with the highest moral qualities. The conduct roll is the index principally of small offences. It shows not "criminality," which is far too strong a term, but delinquency. It registers not *mala in se*, but *mala prohibita*. The young man whose conduct is of the worst description is generally free from those vices which characterize some institutions. He is punished for faults unnoticed in a college, but properly censurable in a military school. The report of an offence is thus, in itself, a serious punishment, which no other penalty inflicted on the offender is allowed to mitigate. He always undergoes a double, and sometimes a treble penalty for one transgression. Of this system the board observe :

"A benignant influence would be applied to the minds of these young men, if they could be made to feel, when they have once offended, that contrition and amendment will secure oblivion for the past, and that their ultimate standing, when they leave the Academy and enter on life, will not be fatally or very injuriously affected by the delinquencies of their earlier and more inexperienced years." "It is believed, that a system of moral and even military training will prove salutary and powerful, in proportion as the more generous sentiments of our nature are enlisted in its support, and the animating influence of hope and love substituted for the chilling effects of fear."

In this opinion we concur. The system of punishments is altogether too severe. One penalty for a fault is everywhere else considered sufficient. If a specific punishment is inflicted, the offence ought not to affect the future standing of the offender. Only those gross violations of military discipline, which indicate a radical defect in military spirit,

ought to carry with them such lasting consequences. If, however, experience has proved that such a punishment is the most effectual in maintaining subordination, then specific penalties ought never to be inflicted, except in extreme cases, to produce reformation. To sentence a young man to half a dozen extra *tours* of guard in camp, where he is obliged to walk post eight hours out of the twenty-four, once in every five days, in the ordinary performance of his duty, and, after proclaiming his bad conduct first to his parents, and then to the world, to degrade him in his class beside, is pursuing small offences with a degree of severity unheard-of in any other civil or military code.

A general view of the discipline presents many features peculiar to this Academy, arising from its military character. Its severity is apparent from the foregoing account. In whatever situation a Cadet is placed, he is observed by some superior. If he is on military duty, he is watched by military officers, from the colonel to the corporal; if at meals, the supervision extends from the commandant of the mess hall to the carver at the table; if in his room, from the Superintendent to a sentinel, from the officer of the day to the orderly; if at recitation, from the Professor to the section marcher. Under such close inspection, every violation of orders must be known to some one whose duty is to report it. Military deportment being every where required, it insensibly becomes a fixed habit; and strict attention to regulations is enforced by the certain consequences of detected delinquencies.

The most remarkable effect of the system appears in the natural emulation which it excites. A commission in the Engineers is the greatest reward which the Academy offers, because the duties of this corps are the most scientific, and a member of it is qualified for one of the best professions in the country. The energies of the ablest students, in each class, are therefore exerted to the utmost to secure it. The Engineers consist of only forty-three officers, all but one having graduated at West Point with the first honors. Although the higher officers left the Academy many years since, when the course of instruction was far less extensive, and the standard of merit much lower, than at present, they have established an enviable reputation for theoretical and practical acquirements. The more recent graduates were

commissioned after four years of assiduous and successful application to an extensive course of scientific studies, with a profound knowledge of the subjects taught, and a remarkable aptitude for making further acquisitions under the direction of their distinguished superiors. It seldom happens that more than one out of a class receives a commission in this corps, and the most distinguished student is sometimes endowed with a rare union of intellect and industry, which enables him to place competition at defiance. But, generally, the difference in the capacities of the first five is small, and they strive for superiority with their whole mental and physical power. The desire of standing high upon the published roll is more or less operative upon the rest of the class, according to personal ambition. Those who are lowest strain every nerve to attain the prescribed minimum of merit, that they may not be overtaken by the class below them ; for it is a peculiar feature in the government of the Academy, that no one is allowed to proceed with his class, who has not attained a certain standard of merit. The army requires not only those who are willing, but those who have proved themselves able, to perform its duties. As several are annually dropped from the roll, every Cadet is thus compelled to put forth his whole strength, not merely to save his distance, but to obtain the best standing which his abilities permit ; for he foresees its important influence on his future life. These incentives produce such extreme anxiety, that at the June examination, when the standing for the year is determined, students have been known to faint.

The repeated scrutiny to which each class is subjected secures to the army an annual accession of able men, whose merit has been tested. Every graduate possesses an intimate knowledge of the required studies, and has acquired a habit of application and perseverance highly valuable, whatever may be his future occupations. Severe intellectual labor sometimes depresses the youthful spirit, but permanent injury is never produced. The strength of constitution, the habits of thought, and general character, there acquired, are ample compensation for temporary inconvenience, and place this school much above any other in the country.

Such is the organization of the Military Academy. In the extent of its course of instruction, and the thoroughness

with which it is pursued, it surpasses the English military institutions, and at least equals, if it does not excel, the Polytechnic School at Paris. The slight requisitions for admission, in a country where education is so generally diffused, place it within the reach of the humblest applicant, and form a contrast with the exclusiveness of the French institution, which requires of candidates a large amount of mathematical knowledge.

The objections against the Academy are not formidable, when candidly considered. We shall briefly allude to the most prominent, especially noticing those advanced in New-England. It has been said, that the Military Academy is unnecessary ; but a little reflection will show that this assertion is founded in error. The efficiency of an army depends upon the ability of its officers. Mere courage, though patriotism may elevate it to enthusiasm, can seldom, in modern times, win a battle or reduce a fort. War has become a science of much detail, requiring a knowledge of many other sciences, before it can be successfully conducted. Even the small army on the peace establishment of the United States is divided into several corps, each having its own arrangement and charged with its own duties. The single arm of Military Engineering demands an amount of information, which it is the labor of a life to acquire. A knowledge of the French and German languages is required, that the engineer may have ready access to the great repositories of military learning. The large and elaborate drawings of the various works on our seacoast show the necessity of mathematical acquirements. Chemistry, mineralogy, and geology are employed in the selection, preservation, and manufacture of materials ; while the science and skill required advantageously to choose the site and determine the form of the structure, the number, power, and position of its arms, are not appreciated by those who perceive in a fortification only a mass of irregular stone-walls, with a multitude of heavy guns frowning from their summits, and a labyrinth of curious arches, which any mason appears competent to construct. To a certain point, military knowledge is the same for all branches of military service ; but every department demands, both in peace and war, a kind of learning peculiar to itself. The point of separation is where theory ceases and practice begins. Unless this

country shall become non-combatant in principle, as well as peaceful in policy, and therefore discharge its troops and raze its fortifications, it must always maintain some armed force, so organized, that, on sudden emergencies, it may be quickly and effectively increased. Officers educated for the service, with information and practical skill beyond the power of civilians to attain, must be ready, when circumstances require, to discipline citizens into soldiers, to direct and execute combined operations, and to perform the numberless practical details devolving upon the various corps of a large and active force. Experience has amply demonstrated, that militia cannot be relied upon against a disciplined enemy. The histories of the Revolution and the Late War show, that this force is wasteful and insubordinate in quarters, timorous and uncertain in the field. The volunteer companies in this part of the country are, it is true, for the most part, well armed and drilled. They present, on occasional parades, such a martial appearance, their equipments are so perfect, and their spirit so abundant, that we are apt to imagine that such well-trained corps would be as formidable in war as they are magnificent in peace. The commanders, generally, understand perfectly the school of the soldier, of the company, and even of the battalion; but their daily habits do not permit them to acquire further knowledge. A company is seldom manœuvred by itself, and even less frequently in connexion with others. Infantry, cavalry, and artillery are never exercised together, nor is the relation of these different arms to each other in the "real business of fighting;" practically taught. Acquaintance with evolutions is only a small part of what an officer requires in actual service. The knowledge needed can be obtained only by long study and continued application.

The design of the Military Academy is, to supply the army with men practically and theoretically educated to perform all the duties of its several arms. Such is the sole end of the course of studies. Nothing is taught unconnected with that object. Graduates occasionally become civil engineers, or professors in colleges. Their education qualifies them honorably and usefully to fill such stations; but these are merely incidental results. The Academy is maintained only to insure the efficiency of the army in the ability of its officers. If it be conceded, that military education is re-

quired for military men,—and so plain a proposition can hardly be denied, — some institution, where such education may be had, is essential to the country, while the possibility of foreign war exists. When private seminaries shall afford the necessary instruction, it will be time to canvass the expediency of destroying the national school.

Other opponents of the Academy, admitting the necessity of such an institution, assert that its original design is wholly perverted, because very few graduates enter the service. The nation, they say, thus gratuitously instructs young men, who return it no equivalent. That many resign their commissions after leaving the Academy is not denied ; but the number of these is somewhat exaggerated. The catalogue, up to July 1st, 1842, registers 1167 graduates, of whom 168 died, and 24 were killed in service ; up to January 1st, 1843, 421 had resigned. Of these, 92 had served from ten to twenty-two years, and 229 from two to nine years, before leaving the army. The Florida war, by ruining their health, forced probably more than one hundred officers to abandon the service. Under all these circumstances, less than one half of the graduates have resigned in the forty years during which the Academy has existed. If this proportion be too large, the fault is chargeable to the President, who accepts or refuses resignations according to his views of the interests of the army. The only fair argument to be drawn from the frequency of resignations is, that the Academy furnishes more graduates than are required, an objection easily obviated, by reducing the number of annual appointments. Fairly considered, this frequency of resignations is no evil, but an important advantage. The country does not lose the money it has expended, nor a return for the education it has bestowed, although every graduate does not retain his commission. The true policy of a nation, which depends for defence on troops whose greatest merit is their patriotism, is to diffuse widely a knowledge of military science. This, to some extent, is done, by annually sending from West Point a large number of young men, well grounded in all the knowledge which an officer requires.

For these reasons, Congress has been repeatedly urged to increase the number of military schools. President Madison, in his annual message to the first session of the four-

teenth Congress, recommended the enlargement of the institution at West Point, and the establishment of others in different sections of the country. At the next session, a bill creating three other schools was introduced and rejected. In 1817, it was proposed to establish one in South Carolina, one at Harper's Ferry, and a third at Newport, Kentucky. In 1820, a motion was made in the House of Representatives, that a National Armory and Military School be established somewhere in the valley of the Mississippi and Ohio rivers, and the preamble to the motion assigned as a reason for it, that the North had an Academy where "a proper number of her sons are taught the military art," and that the disbursement of money for similar purposes would benefit the West. Had these attempts succeeded, perhaps the opposition to the Academy, which commenced in the Western and Southern States, would cease to exist. The Western people are not generally enemies of the Academy. Declamatory speeches are occasionally made against it by members of Congress coming from that quarter; but the bitterness manifested by them arises, in many cases, from their jealousy of the North, and, in several instances, can be distinctly traced to personal motives. He would commit a great mistake, who should suppose that these speeches indicated the state of popular opinion in the West.

The opposite objection is not unfrequently urged. It is said, that too many graduates enter the service; that the Academy *monopolizes* the army; that no one can receive a commission unless he has passed through its ordeal. This objection savors somewhat of that advanced by the French Jacobins against the Polytechnic School, — that republican equality was infringed, by appointing to the public service men qualified to perform the duties. But the fact asserted is not true. Should any citizen elsewhere obtain the knowledge required for becoming an officer, no law prevents him from being commissioned. It is true, that most of the officers are graduates; out of 733 on the last Army Register, 554 were Cadets. But the Academy cannot be said to monopolize appointments in the army, until they have been refused to individuals as well qualified as the graduates. Lieutenants are occasionally commissioned, who have had no preliminary military education; a course which the public interest demands should be of infrequent occurrence.

An objection of another character has been repeatedly mentioned. In June, 1842, the legislature of Connecticut passed a resolve, that the Academy was "aristocratic and anti-republican," and ought to be abolished, because "a *very large portion* of the Cadets" "are the sons of wealthy and influential men, who, by the interposition of members of Congress, obtain situations in that institution, to the *almost total exclusion* of poor and less influential men, regardless alike of qualifications and merit." In January last, a convention of militia officers advocated the destruction of the Academy for similar reasons, their hostility being excited, probably, by a comparison of the army with the militia officers. Maine recently followed the lead of Connecticut, and, during the last winter, a memorial against the Academy, founded on the same misapprehension of its character, was presented to the legislature of Massachusetts. These movements, indicating an organized opposition, are in imitation of the example set by Tennessee and Ohio, the former having attacked the Academy, on the same grounds, in 1833, and the latter in 1834.

The charge rests upon the truth of certain alleged facts. If all that is asserted is true, we admit the conclusion. The question is, therefore, entirely one of fact, to be decided by evidence. That every young man, who receives an appointment, receives it by the "interposition of a member of Congress," cannot be denied. Such is the mode of selecting candidates; whether good or bad, it is the law, and can be altered when its operation is shown to be injurious. The last clause of the charge is mere declamation. No "qualifications" are required for admission to West Point, except the mere rudiments of an education. It would be difficult to find in New England a boy sixteen years old, whether the son of a rich or a poor man, who does not possess them. It will not be said, that no young men but those ignorant of these rudiments receive appointments; yet if that be not the case, this part of the charge amounts to nothing; for the only "qualifications or merit," which the appointing power has a right to regard, are those required by law.

The allegations to be proved by the opponents of the Academy are reduced, then, to the following; that the sons of rich and influential men *almost totally exclude* the sons of poor and less influential persons.

We will not stop to ask, whether this accusation is founded on inquiry, or whether it is preferred at random, to excite hostility against the institution in the minds of those who follow their leaders, without troubling themselves to investigate the truth. Nor will we pause to conjecture, whether party fervor may not somewhat have distorted facts, or obscured the judgment, or whether individual disappointment may not lurk at the bottom of these resolutions, and influence be deprecated in one instance, because in another it failed of its object. The Board of Visitors, whose report we have quoted, completely refute this stale charge, by publishing the facts as ascertained by them after official investigation. They observe,

“That apprehensions have been entertained, that the Academy is open rather to the sons of the wealthy and powerful, than to those of all classes of our citizens. Their personal observations, however, and the inquiries they have made as a Board, satisfy them that this impression is without foundation. They have met more than one hundred young men from all parts of the country, who have received appointments within the last year, and who are now awaiting their examination. No person can see them without feeling that they are the sons, in most cases, of the farmers and working men of the country; and several of them are known to the visitors as orphans without property, or as members of families in the humblest circumstances. In order, however, to possess themselves more of the facts which pertain to this question, the board requested detailed information from the Superintendent, in regard to the parentage and pecuniary condition of the present members of the Academy.”

Of the whole number of Cadets, it was ascertained, that 56 were the sons of farmers, 3 of planters, 14 of mechanics, 5 of boarding-house or inn keepers, 12 of physicians, 27 of lawyers or judges, 19 of officers in the army, navy, or other public employments, 4 of clergymen, and 18 of merchants; 20 had no parents living, and 22 were fatherless. Of these, 182 “are represented as being in indigent, reduced, or moderate circumstances”; and “the families of 144 reside in the country.”

Many plans have been suggested to remedy admitted evils in the mode of selection, but none are satisfactory. It may sometimes happen, that young men receive warrants by the

influence of political management. Were this universally the case, we perceive in it no just reason for destroying the Academy. The vast patronage of government in all its departments is more or less devoted to political purposes. This great evil, debasing individual morality, and destroying the national character, demands immediate correction ; but it affords no argument against the custom-house, the post-office, or the navy, nor against the existence of a national school. If officers were commissioned from the ordinary walks of life, instead of coming from the Academy, the same corrupt influences might control the appointments. The mode of selection has its benefits as well as its evils. Members of Congress can select candidates with more regard to circumstances, than if the choice were vested, as formerly, in a central power removed from immediate connexion with the people. The facts given above show that this is a practical advantage.

It is said by many, who think a Military Academy useful and even necessary, that the institution at West Point is a mere engine of political influence. They affirm, that many more appointments are annually conferred than the service requires ; and therefore each class must be reduced during its Academic term, to prevent an undue number from graduating. To effect the reduction, the discipline is made inordinately severe, and the standard of excellence placed at a point unattainable, except by extraordinary talents. It is more than intimated, that this standard varies for different classes, according to their size. Many young men, it is said, are thus sacrificed for political causes. They receive appointments under the delusive hope, that industry and attention will enable them to graduate ; when it is well known, that one half must be turned away under any circumstances, and thus disgraced for no fault but that of failing to reach a fanciful perfection. This charge is supposed to derive support from the fact, that less than one half of those who are appointed Cadets receive commissions as lieutenants. The class which entered in 1837 numbered 82 on its first roll in 1838, of whom 52 graduated. Six of these were turned back from the preceding class, and thus only 46 of the original class were commissioned. That which entered in 1838 numbered 85 on its first roll in 1839, of whom 56 graduated ; two entered in 1837, leaving

54 of the original class. These reductions are alleged to be the predetermined effects of appointing many more than necessity requires.

We have never seen this charge supported by evidence, and can answer it only by a direct denial. The standard which every Cadet is required to attain, although high, is fixed. It is not arbitrarily altered to reduce a graduating class to the usual average. During the six years ending in June, 1842, the proportion discharged varied from 21 to 45 per cent. The class of 1841 furnished twenty-six, and that of 1842 thirty-nine, supernumerary lieutenants, or that number more than the service required when they graduated. These facts, with the uniformity of the average of discharges, remarkable when the character of the entering members is considered, tend strongly to prove, that the standard of merit is kept as near the same mark, for each year, as can reasonably be expected.

We cannot admit, that the standard is unreasonably high. Every Cadet knows, when he enters, that he has before him a task of no small magnitude, in order to meet the requisitions of the Academy. If his friends have overrated his abilities, they can only blame themselves. All that he has a right to demand is, that he shall be impartially judged. The history of the institution, the experience of every one connected with it, and many interesting facts which we must omit from want of space, prove conclusively, that neither political nor personal influence, neither station, birth, nor wealth, has any power to elevate or degrade him ; but that capacity and good conduct are the only requisites for success, and are sure to obtain it. All public education, as a measure of policy, has in view the public, and not individual, advantage for its first object ; and the Military Academy is specially intended to raise the character and maintain the efficiency of an essential branch of the national service. The institution is supported entirely at the public expense. No young man is asked to receive a warrant ; on the contrary, the applications for appointments, each year, are many more than can be granted. The Government offers to every graduate a provision for life in an honorable profession, and is therefore fully justified in exacting remarkable ability and attainments ; for, the greater the reward, the greater should be the price paid for it. The greatest ability which the

country can produce is reasonably to be expected from each graduating class ; and we should rather increase than diminish the appointments, preserving the same average number of graduates, so that, by offering a wider field of choice, the qualifications of those who are annually commissioned in the army may be rendered greater than they now are.

Whether the advantages of the Academy, as some suppose, are purchased at too high a cost, depends upon the value attached to military education. The appropriation for 1842 was \$ 133,641. From this amount, \$ 26,382 must be deducted, being the sum paid to officers on duty at West Point, to which they are entitled, independently of the School. If the whole appropriation was used, the expense for 1842 was \$ 107,259, or about \$ 427. for each Cadet. Of this sum, \$ 338 are for his pay and subsistence, \$ 12 for his proportion of incidental charges, and \$ 77 for his instruction. Considering the extent of the course, the thoroughness with which it is learned, and the object of the Academy, the cost is insignificant.

In a fit of economy, the last Congress withheld the customary appropriation of \$ 2,000 for the Board of Visitors, which is hereafter to be discontinued, unless specially ordered. This Board has had, for more than twenty years, the character of a popular committee. It has consisted of gentlemen of all occupations and professions, from every part of the country, annually invited by the Secretary of War to make "a full and free investigation of the military and scientific instruction of the Cadets, and of the internal police, discipline, and fiscal concerns of the institution ;" for which purpose every facility is afforded by the superintendent. They are requested to "communicate the result of their observations, with any suggestions for the improvement of the Academy," to the Department of War. Their annual reports have been very useful, in furnishing the only authentic and official account of the institution ever published, and in thus diffusing accurate, and sometimes detailed, information respecting its affairs. It is true, that the "suggestions for *improvement*" have been very various, and often whimsical ; but generally the recommendations were valuable, and received attention. The greatest benefit resulting from this annual committee is the individual in-

fluence of its members in dispelling much unfounded prejudice. They were usually men of ability and consideration, and they acquired, in the course of their investigations, a minute acquaintance with the details of the school. The information thus gained was widely disseminated, and did much to "disarm the assaults of the ignorant." We regret the discontinuance of the Board, and concur with that last appointed, in believing, that nothing "can be a more effectual means of guarding the institution from abuse, and retaining public support, than the method now pursued of throwing it open annually to the most rigid inspection, and of inviting suggestions in regard to its welfare and improvement." *

We intended to say a few words upon the constitutional objections to the Academy, which, although generally abandoned, are sometimes zealously urged. The account of the institution which we have given shows, we think, that such objections have no solid basis. Any one, desirous of learning what they are, will find them mentioned, and completely refuted, in an able article on the Military Academy, published in the *American Quarterly Review*, for September, 1837. We will only observe, in conclusion, that if the people of the United States desire for their army educated officers; if they would not again, as in the war of the Revolution, depend upon foreign assistance, or, as in the Last War, rush into conflict without preparation; if they would employ their countrymen, instead of foreigners, to plan and construct their forts; if they have pride in the scientific as well as the literary reputation of the country, they will cherish with affectionate regard the only scientific institution the country affords, — an institution which Washington repeatedly recommended, which Adams founded, which was encouraged by Jefferson, enlarged by Madison, improved by Monroe, and which Jackson once saved from destruction; which has demonstrated its value by its practical results, and which derives such support from authority, character, and experience, as should commend it to the cordial regard of every patriotic American.

* At the last session of Congress, \$40,000 were appropriated for the purpose of erecting new barracks; those formerly in use having become more uncomfortable than the cells of most State prisons.

ART. II. — *Report by MR. J. P. KENNEDY, from the Committee on Commerce. Read and laid upon the Table in the House of Representatives, May 28th, 1842. Twenty-seventh Congress, Second Session. 8vo. pp. 63.*

THERE are few themes which afford a more copious subject for remark and self-gratulation to the men of the present day than the increased facilities of transportation upon the land, and the extent to which the principal powers of the earth have pushed their adventures upon the sea. In view of the latter, it seems scarcely credible, that, until the middle of the fifteenth century, no mariner of Europe had dared to lose sight of his own coast ; but such is the record of history. The change has been wonderful, indeed. “Go where I will,” says the Briton, “my country’s flag has preceded me” ; and “go where *I* will,” says the American, “that of *my* country is no stranger.” These flags are now worn by five millions of tons of merchant ships, and a half million of tons of armed ones ; but on the accession of queen Elizabeth, the whole marine of England did not exceed that recently owned at the commercial capital of her colony of New Brunswick ; while at the close of her reign, the new world did not possess a single vessel, nor a single seaman of the Saxon race.

Whatever the advance of the English shipping interest may have been during the reigns of James, and of his ill-fated son Charles, the task devolved upon Cromwell to place it on a broad and lasting basis. This he accomplished by the Navigation Act. Those who blame as well as those who admire the Protector, unite in praise of his genius, and in the opinion that this sagacious law is a monument worthy of his fame. That he alone devised it, none, as far as we know, attempt to show. The two rival claimants are St. John and Downing. The evidence adduced in favor of the latter is strong, if not convincing. But it is by no means certain, that its conception belongs to either, though the act could hardly have found a place upon the statute-book, without the determined support of both.* Sir George Downing was an

* Those who desire to pursue the inquiry as to the origin of this measure, without the toil of consulting original authorities, will find some inter-
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inhabitant of Salem, and a member of the first class that graduated at Harvard University.

Whatever his character may have been, it is admitted on all hands, that his talents were great, and that his influence with Cromwell, after he removed from America, was controlling. At most, New England owes his memory nothing but silence. But her strong men of the revolutionary era regarded it with utter detestation. His name was identified with a measure, which, whether he designed it so or not, wronged his native country, until she acquired strength to resist and overturn it. It is affirmed by some, that the aim of Cromwell, in passing the Navigation Act, was "empire," and not "commerce." Even if it were so, — if "empire" was the end sought, his vision could have seen no means so certain as "commerce" whereby to attain it. But whatever were the motives of this extraordinary man, and whatever the secret or avowed purposes of those who shared in his counsels, something to relieve the distresses and encourage the growth of English navigation was indispensable. The Dutch crowded the ports of England and of the world, while English vessels decayed in idleness. *To compel the merchants to import and to export in ships of the realm* was a measure that promised all that was desired, and such was the leading object of the Navigation Act. The scheme was simple, comprehensive, and magnificent. But the sending away of domestic, and the bringing home of foreign, products in English bottoms, navigated by Englishmen, were not to be accomplished by a mere declaration upon parchment. The merchants opposed the plan, because it required them to adjust the machinery of their business anew; and the Dutch opposed it, because, if carried out, their supremacy upon the sea would come to an end. In a word, few "experiments" encountered more obstacles; few have succeeded so well.*

esting matter relating to it in Tudor's Life of Otis, page 75. There is also an elaborate and very able article, which maintains the pretensions of Sir George Downing, in Hunt's Magazine, Vol. 4, page 393, from the pen of the Rev. Charles W. Upham. Bancroft differs from the opinions expressed by Tudor, and from the argument of Upham, inasmuch as he ascribes the Navigation Act to St. John.

* In 1660, the amount of British tonnage is said to have been only 95,266. In 1774, it was 1,136,262. In 1660, British commerce is said also to have employed *four* tons of foreign, to *one* of national ships; but in 1750, it employed *twelve* tons of British, to *one* ton of foreign. M'Culloch dissents from the opinion defended in the text, doubting whether the Navigation Act has had the influence ascribed to it in promoting the growth of British shipping.

But success was obtained only after fierce contentions and desolating wars. In our day, the adoption of a new policy, or the opening of some untried channel of trade, gives an instantaneous impulse to commerce, and increases the number of ships with astonishing rapidity. Such, however, were not the immediate effects of the Navigation Act. At the Restoration, when its great principle was adopted and reënacted by Charles, though the revenue from imports exceeded two millions of dollars, the Dutch fishermen nearly excluded those of England from their own waters ; while the Dutch merchantmen retained a large share of the trade of Europe, India, South America, and even of our own country. But at the close of the century, we find the revenue from imports nearly doubled, and the amount of English tonnage very considerable. Still, the whole mercantile marine of the kingdom did not much exceed that now owned in the city of Boston ; while it fell short, by a third, of that now belonging to the city of New York ; was only about four times as great as that of the district of Bath in Maine, and less than five times larger than that of Portland in the same State.

But to trace the progress of the navigation of England, from era to era, until we reach the present time, when it amounts nearly to three millions of tons, forms no part of our purpose. Our sole aim is, to show the effects of her commercial bearing towards us — whether as her colonies, or a sovereignty like herself ; and to consider our own commercial policy, and the condition of the great interests which it designs to protect. And we remark at the outset, that the British Navigation Act and the Laws of Trade, which were a part of the system it was meant to enforce, contained the germs of the American Revolution. The Stamp Act and other measures of a kindred nature have been made, we think, to occupy too prominent a place among the causes assigned for that event. The irritation which the duties on stamps excited in the planting colonies subsided as soon as the law which imposed them was repealed ; and we submit that, but for the policy which oppressed the commerce and inhibited the use of the water-falls of New England, the “ dispute ” between the mother and her children would have been “ left,” as Washington breathed a wish that it might be, “ to posterity to determine.”

While Cromwell lived, colonial trade was free ; but after

his death, New England soon felt the difference between a Puritan and a Stuart. The duties of poundage and tonnage were first imposed, and upon the creation of a board of commissioners of Trade and Plantations in 1671, measures were adopted to restrain and regulate American commerce, which already extended to the principal countries of Europe. To enforce obedience, however, by mere instructions to the governors, when the people were so distant and so ill disposed to yield it, was impossible ; though it seems that Governor Winslow, of Plymouth Colony, was considered "a loyal gentleman," and he expressed his dislike of the "carriage" of the Boston people, for their "daily breach of the laws concerning trade and navigation," and for "trading with, and encouraging all nations to trade with them." Upon the complaints of the merchants and manufacturers of England, that these laws continued to be disregarded, the governors of the colonies were again, in 1676, enjoined to enforce them ; while, to subdue the refractory spirit of New England, it was determined that Mediterranean "passes," to protect her vessels from the Turks, should be withheld until she humbled herself, and until it was seen, whether "the custom-house officers were received" there in as kindly a manner as elsewhere.

The year 1679 is memorable as being the period when Edward Randolph landed at Boston, commissioned to be the first collector, surveyor, and searcher of Massachusetts and the other maritime colonies of the north. He was treated with aversion and contempt. The next year after his arrival, he wrote to the king, that "the Bostoneers," as he called them, disregarded as much as ever the acts which were designed to bridle their commerce ; "whereby," said he, "your majesty is damnified in the customs one hundred thousand pounds sterling yearly, and the kingdom much more." Bradstreet replied to this and other falsehoods ; averring, upon this point, that there had "never been five thousand pounds irregularly traded by the merchants of Boston in a year." That Randolph knew he uttered base lies, both then and afterwards, seems undeniable. But what was truth — what were the interests — of the people who earned their bread in storms, compared with the favor of *that* Stuart, whose own dislike towards them needed no stimulant, no obsequious slave, to urge him to perfect the ruin of every

branch of their industry. Charles and his vile official soon brought matters to a crisis, and the latter held in his hand the *quo warranto* of his master, wherewith to vacate the charter of Massachusetts, just a century before the severance of the Colonies from the British empire was accomplished. Whatever other causes may have concurred, in the progress of time, to produce this event, it is certain, that the disputes between the crown and the merchants and ship-owners of New England were commenced thus early; and that they were continued, with but few intermissions, until the vessels of America went out upon the ocean under a new flag.

The accession of James the Second was proclaimed in Boston "with sorrowful and affected pomp." Bent upon carrying out the purposes of his brother, he found a willing instrument in Sir Edmund Andros, whom he commissioned as governor of New England, with directions to *permit no printing press*, and "to execute the laws of trade, and prevent frauds in customs." The attempts of Andros to enforce obedience to his instructions, his imposition of a new duty on imported merchandise, and his other oppressive acts, soon became too grievous to be borne. And the popular outbreak which they excited, which overturned his government and cast him and his advisers into prison, was, in great part, merely an effort of "the Bostoneers" to release their ships and goods from the thralldom of the Navigation Act and its kindred statutes.*

Whatever were the benefits to America of the English revolution of 1688, none accrued to the interests under consideration. Massachusetts, it is true, obtained a new charter; but Phips, her new governor, though born and bred

* Sir Edmund Andros was governor of New York *before* the period of which we are now speaking, and of Virginia *subsequently*; and as he gave good satisfaction in both colonies, it may be fairly inferred, that the people of Massachusetts were "*stiff-necked*" and hard to govern. This impression derives strength from the fact, that other colonial governors, who administered affairs as Andros did, both at the north and south, met with similar success in the one region, and similar difficulties in the other. Such was the case with Jonathan Belcher, who was appointed to the executive chair of New Hampshire and Massachusetts in 1730, and became so unpopular that he was compelled to vacate it. He afterwards assumed the government of New Jersey, passed the remainder of his days in that colony, and was held in high esteem. Sir Francis Bernard also was governor of New Jersey, where he made himself "very acceptable," and of Massachusetts, where he became so odious, that the General Court petitioned the king to remove him.

among the mariners of her eastern coast, had a short and unquiet administration. To his quarrel with the Collector of Boston he owed the loss of his station, and to his indiscretions generally we may attribute the introduction of a new means of oppression, in the establishment of a court of admiralty. Nor was this all. In 1696, King William organized a new Board for the supervision of colonial affairs ; and, prominent in their instructions to the colonial governors was the charge, to transmit punctually "the accounts of the collectors of the customs and naval officers." So, too, by an act of parliament of the same year, all ships trading to or from colonial ports were required to be British or colonial built, and all goods which they carried to be British or colonial property. And, as if there were not enough of parental "care" manifested in this law, it was further enacted, that vessels from the Colonies, which should be unladen in Scotland or Ireland without first having been discharged in England, and paying the duties on their cargoes, should be forfeited.

Of attempts to bind down the energies of a people, whose homes were upon a sterile soil, and who — to use one of their own expressive phrases — "must subsist *somehow*," it would seem, that there had been quite enough, for a while at least, to satisfy their most anxious mother. But as a new century opens, we find that the endeavors of the northern colonies to cover their bleak hills with flocks furnished another cause for parental solicitude, which was evinced by the statutory declaration, that they should export their wool and their manufactures of it only at the hazard of incurring the loss of the ship employed, the goods found, and five hundred pounds in money besides. An act followed, in 1732, forbidding the sending to foreign countries, by land or water carriage of any hats made in the Colonies, and fixing the number of apprentices that master hatters might employ ; while, in 1750, colonial iron-mills and forges had become so offensive to the nostrils of the English iron-mongers, that a law was passed declaring them to be "*nuisances*," and as such to be "*abated*." It may be, that this extreme "care" of the six furnaces and nineteen forges then possessed by New England was necessary ; but as England was unable to furnish for export, as far down as the year 1767, more than eleven thousand tons of iron annually,

Americans of the present day can imagine some little excuse for the very grave offence of making at home what could hardly be procured abroad.

Prior, however, to this memorable chiding of northern waywardness, the commercial prospects of Massachusetts were darkened, in 1733, by the passage of a bill which, had the revenue-officers been able to enforce it, would have driven her vessels from the fishing-grounds, and carried distress to every family on her seaboard. We allude to the "Sugar Act," adopted to hush the clamors of the planters in the British West Indies ; and which imposed heavy, even prohibitory, duties on sugar, molasses, and rum, coming into the Colonies from islands or possessions other than British. It was only because this law could not be executed, that Massachusetts did not lose at a blow the extensive trade she was pursuing with the French and Spanish islands ; where she bartered away her inferior kinds of fish, that were wanted nowhere else, but the sale of which, in one way or another, was indispensable ; because a market for good and bad qualities was necessary both for the continued prosecution of the fisheries, and for preserving the trade with Europe.

If during the irritations at which we have barely glanced, there had been any regulations of the crown or enactments of parliament to offend the planters of the south, there had been none to check their industry. Towards the colonies that sold raw produce, the policy of the mother country had been mild, perhaps liberal. They were the Round-heads, and not the Cavaliers, who met her upon the ocean and in the work-shop ; hence, it was to them that she showed the more odious features of the Colonial System.

The year 1761, to which we now come, was filled with events of momentous consequence. We find the merchants of Boston and Salem deeply exasperated by recent attempts, under fresh and peremptory orders, to exact strict observance of the laws of navigation and trade ; and, by a pretension just set up, to enter and search places suspected of containing smuggled goods. To submit to this pretension was to surrender the quiet of their homes and the order of their ware-houses to the underlings of the government, and the property which they held to the rapacity of informers, whose gains would be in proportion to their wickedness. They

withstood it, therefore, before the high court of Massachusetts, and before the imposing presence of five judges in wigs, bands, and robes of scarlet cloth, and the several other officials of the times. James Otis threw up an honorable and profitable station under the crown, because he would not oppose — and in order that he might espouse — their cause, and thus became the first champion of the Revolution. For it was while Otis argued against granting “ writs of assistance ” to the officers of the customs, said John Adams, that “ *the child Independence was born.* ” *

We open next upon a scene of tumults and wild commotions, the prelude of open war. The nine years which preceded the “ Boston massacre ” were crowded with acts, which show what strength the popular wrath had attained. The revision of the “ Sugar Act,” and the efforts to carry out its new provisions, aided, as the revenue-officers now were, by ships of war and an increase of their own corps, carried consternation to every fire-side in Massachusetts. Then came the seizure, and rescue, and re-seizure of some molasses on the Taunton river ; the resolution to stop the importation of British merchandise ; the bringing to of ships and tumbling the cargoes overboard all along the coast ; the seizure and condemnation of one ship with her cargo of French wines, and of another from Holland ; the suits in admiralty against the merchants who traded to the French and Spanish islands, for the old offences of compounding duties with the officers, — for entering the molasses of these islands as of the growth of Anquilla, and for smuggling it outright ; the appeal of the ship-owners to the ministry to be released from the harpies that robbed them of their goods, and made prize of their vessels ; the landing of a cargo of wines under

* Among those whom a kind Providence raised up to achieve American freedom, and of whom the American people know too little, is James Otis. Tudor's Life of him should be in the hands of every school-boy in our land. Otis wore himself out, body and mind, in the great and glorious cause of emancipating our country ; and yet how few, comparatively, know any thing of him, — of his deeds, his speeches, his pecuniary sacrifices, his ruined health, his shattered reason, and the sublime death which was vouchsafed to him. In England, there were times in his career when he was held in the utmost detestation. Thus, it was said of him, that he was “ the president, mouth, and trumpeter, and alarm-bell of all North American malevolence and fury,” that “ by his *ipse dixit* he passed, and with his own hands recorded, and by his own authority published, the resolves against mustard, muffs, tippets, and French cambric.”

the guard of men armed with bludgeons ; the seizure of Hancock's goods and the vessel that brought them ; the driving of the collector and comptroller of the customs on board of a man-of-war, and within the walls of " Castle William " ; the dragging of a revenue-boat through the streets, and the burning of it on the " Common " ; the mobs that demanded the resignation of one inspector, stripped, tarred, and feathered another, and that broke windows, demolished furniture, and destroyed buildings. Of the affray in " King street " itself, it may be remarked, that the killing of the boy, who hooted at, and dogged the footsteps of the land-waiter and informer, was its precursor ; that it was not the less bloody, because the sentry stationed at the custom-house was pelted by the mob, and lost none of its consequence with the multitude afterwards, on account of the story that the occupants of this house fired on the people.

Nor, in alluding to these manifestations of feeling, ought we to omit to mention, that, in the higher ranks, the common courtesies of life were suspended, — that permission to give a dinner in the usual place for public festivals had been refused to the governor, unless he would consent to dispense with the presence at table of the higher officers of the customs ; and that the officer in command of the British troops had violated common decency and decorum by quartering common soldiers and camp women in the legislative halls of the Colony. Better far to have followed the example of Virginia, where Washington dined and rode out with the royal governor, and attended a ball given to his lady, full four years after the latest of the occurrences of which we have yet spoken ! *

Another step in the controversy, and we stand beside the " tea ships." We have no space for the discussion of a question so pregnant of consequences, but we must enter a qualified dissent from the common view of it. We con-

* We learn from Washington's journal, that he continued on terms of friendly intercourse with Lord Dunmore until after the Boston Port Bill went into operation, June 1774 ; but so different was the feeling in Massachusetts, that the ladies of the citizens opposed to the course of the ministry had refused, years before, to mingle in dances and social visits with the officers of the crown ; and so great was the fear of insult to the persons of those who attended a ball given by Mrs. Gambier (wife of the commander of the naval forces on the station), at Concert Hall, in 1771, that soldiers were employed as a guard.

sider that it was partially a question of commerce ; some look upon it as one of " taxation " entirely. There is very fair reason to believe, that " three pence the pound duty " was resisted as much from the apprehended loss of the colonial tea trade with the Dutch — carried on in contravention of the laws of navigation and trade — as from any other cause. The value of the tea consumed in all the Colonies was set at three hundred thousand pounds sterling, annually. The English East India company, backed by the ministry, grasped at a monopoly of the supply ; and the change of policy which *reduced* the duty from a shilling to three pence would have enabled them to obtain it ; inasmuch as their tea could then be afforded at as low a price as the smuggled, and was considered better.* It is said, that the alarm was first sounded by the English merchants who sent tea to the colonial traders not concerned in the illicit trade ; but however this may be, it is very certain, that they incited resistance in the colonies to a plan which threatened to deprive them of a valuable business. As a punishment for the destruction of the tea in Boston, that port was shut up, and its commerce thus struck down at a blow. Lord North's infamous measure of cutting off the fisheries,† which were then the very life-blood of New England, soon followed the passage of the Boston Port Bill, and was the crowning act of the policy which we have rapidly noticed. When the tidings that no vessels could now enter or leave the harbor of the capital of the North spread through the land, the cry that " Boston is suffering in a cause which henceforth interests all America " rose spontaneously. Public meetings were held in all parts of the country. People met in the open air, in churches, and court-houses, to express their horror of the oppressors, and their sympathy

* The quantities of tea, which at times were illicitly imported into the Colonies from Holland, were very great. Pennsylvania, New York, and Massachusetts were the principal marts. For a while, the risk of seizure was small, and it is said, that for three years, not one chest in five hundred of that landed in Boston fell into the hands of the officers of the customs. Tea then came in packages nearly four times as large as the largest-sized " chests " of the present day ; a chest was estimated at three hundred and forty pounds' weight.

† The protest against this measure of Lord North's, by the minority of the House of Lords, is one of the most eloquent and withering rebukes of the course of the ministry, that is to be found in the archives of the Revolution. It was in opposing this Newfoundland fishing-bill, that Fox made his first great speech, and made known his vast powers.

with the oppressed. We have examined the proceedings of no less than sixty-seven of these meetings, of which twenty-seven were held in Virginia, and all but one in places south of New England. The words we have just used mark the feelings manifested in all these assemblies, while many expressed them in almost the very terms. The day that the Port Bill went into operation was one of gloom and sadness every where. The Virginia House of Burgesses devoted it to fasting, humiliation, and prayer; and the predictions, on both sides of the Atlantic, that it would produce a general confederation, and end in a general revolt were of rapid fulfilment.

The course of some of the British statesmen, at the period at which we have now arrived, has been much lauded. We have heard much, for instance, of Lord Chatham's friendliness to the colonies, and of the warm zeal he manifested in their behalf; but we know not whence such opinions are derived. True, he opposed Lord North, with all the might of his great intellect, and all the fire of his surpassing eloquence; and his speeches on American affairs will continue to be read, and to thrill the human frame, in all coming time. But what then? No man did, no man could, say more in defence of the principles of the Colonial system than Lord Chatham. It was he who stood up in his place and declared, that the very Colonies, which were suffering so much from the measures of Lord North, "*had no right to manufacture even a nail for a horse-shoe*"! Could he wonder, therefore, that when America no longer dreaded the French in Canada, when, indeed, the sympathies of France set in her favor, — when she had acquired strength, and the political condition of England and of all Europe was favorable for a trial of it, — that Nathaniel Green, the Warwick blacksmith, should peril his life to acquire for his countrymen the right to use an anvil? Or how could he wonder, that George Taylor should become a "signer" of the great instrument, which would change his own and all other American furnaces and forges from "*abatable nuisances*" into structures worthy of care and protection? And again; why should he, why should any person, charge upon the administration, which he warred against so fiercely, *all* the causes of threatened disruption of the empire, when the rapacious spirit of England's monopolists had been crying "Give,

give"! for a hundred years ; when the same spirit had been expressed in twenty-nine solemn acts of her parliament ; and when her commercial policy had become so barbarous, that an American merchant must evade a law in order to give a sick neighbor an orange or a cordial of European origin, or else obtain them legally, loaded with the time, risk, and expense of a voyage from the place of growth or manufacture to England, and thence to his own ware-house ? Nay, more ; how long could he, or Burke, or Fox, have supposed, that American ship-owners and ship-masters would submit to a statute, which, when their vessels were wrecked on the coast of Ireland, did not permit the landing of their cargoes on the shore where they lay, but required that they should be sent to England, and then, if originally destined for, or wanted in, the Irish market, an English vessel might carry them thither, and pass the stranded vessel to land them, perhaps, for consumption ? And yet, said Lord Chatham, "our legislative power over the colonies is sovereign and supreme" ; "they owe obedience to our ordinances of trade, and navigation ;" and "were I an American, I would recognise to England her supreme right of regulating commerce and navigation." If, therefore, we see, or fancy that we see, in his awful rebukes of the minister with whom Fox, his co-worker, did not refuse to join, something of the common, far too common, course pursued by the *outs* against the *ins*, such of our readers as dissent from our opinion, must pardon us for stating it.*

Still, there is a force in the reasoning — and the United States felt its full strength after the peace of '83, and while under the Confederacy — which requires that all maritime affairs should be placed under the control of one supreme head. This principle was so obvious as to have been generally admitted in the Colonies ; and yet — how indeed could it have been otherwise ? — every application of it was a

* It is not improbable, we think, that had Lord Chatham been in power when Lord North was, he would have pursued a course not entirely unlike that of that minister. Those familiar with his career will remember the following sentiments expressed by him to Dr. Franklin during the "old French war," as it is called, or the struggle which resulted in wresting from France her remaining American domains. "When the war is closed," said Chatham, "if I should be in the ministry, I will take measures to prevent the Colonies from having a power to refuse or delay the supplies which may be wanted for national purposes."

grievance. The subtle distinction set up between "internal and external taxation," we confess our inability to comprehend ; inasmuch as we can perceive no difference in theory or fact, between demanding postage on a letter, and exacting a duty on the "*paper*" on which it is written ; between the "*stamp*" duty on a ship's manifest and clearance, and an impost duty on the "*painter's colors*" spread on her sides, the "*glass*" of her cabin-windows, and the "*sugar*," "*molasses*," "*wine*," and "*tea*," laden under deck. A difference, however, was made, though no one appears to have defined it, or to have considered what it was. Washington could not determine, precisely, where the authority of England ceased, and where her invasion of the rights of America began ; and a question which his sound judgment failed to solve — as statesmen then reasoned — could be adjusted only by war. Colonies become nations, as surely as boys become men. This law of nature has now liberated nearly the whole of our continent, and the lesson is taught, we hope, that fire and sword will stay its operation nowhere else.

As we conclude our remarks on this topic, we ask to be fully understood. We have overlooked many of the events which produced alienation and final separation between the mother country and her Thirteen Colonies, because our subject does not require us to notice them. And New England generally, and her capital especially, have been prominent in our narrative, simply because northern interests suffered first and longest ; and because, in speaking of the commercial disputes, the part of the country where they principally occurred demanded our chief attention. While, then, we have not pretended to ascertain or state the relative agency of the North and the South in effecting the severance of the British empire, we must still insist, that these disputes accelerated it, and were among its most potent causes. New England did her whole duty, and that is enough. Merchants and ship-masters did their share also.

A full account of colonial navigation and trade might now claim our attention, but we can give them no more than a word. Though New York, at the present day, is the seat of our foreign commerce, and, in point of tonnage, second probably only to London in the whole world ; Boston, at the time of which we now write, owned and em-

ployed more shipping than any other port on the continent, and imported a greater amount of merchandise than any place in British America, unless it were Jamaica the then depot of goods intended for the supply of the Spanish colonial markets. The commerce of Massachusetts shot out from her fisheries, and they continued to be its main support until after the adoption of the present form of our national government. Her coasts had become famed for "the wealth of seas" years before the Pilgrims came to "their wilderness home"; and they — the exiled ones — turned their attention to the fisheries from the earliest hour of their arrival. The energy and zeal of the "fiery" Hugh Peters, minister of Salem, who returned to England, took part with Cromwell, and was executed by Charles the Second, gave to this branch of industry, and to ship-building and trade generally, a great and enduring impulse. Their increase was so rapid, that by the year 1670, Sir Josiah Child, the great English authority in matters of trade of the seventeenth century, denounced them as "prejudicial" and "dangerous" to the realm. At the time his *Discourse on Trade* was published, Boston, Charlestown, Salem, and Ipswich were noted for the building of vessels; and according to Randolph, the "Bostoneers" could furnish "good ships" at "four pounds the tun."

Boston was but a century old, when the maritime business of Massachusetts required six hundred vessels, of thirty-eight thousand tons burden, of which one half made voyages to Europe; and, before 1750, we find that four hundred and thirty vessels entered, and five hundred cleared, at Boston in a single year, beside coasters and fishermen. There entered at Portsmouth, New Hampshire, at the same period, seventy-three vessels; besides a hundred or more employed in coasting and fishing. The excellent harbor of Newport, Rhode Island, gave to that town great maritime importance at a very early time, and by the year 1739, it owned, at least, one hundred vessels. In six years afterwards, New England was supposed to possess one thousand ships, brigs, and schooners, without reckoning a very considerable number of "fishing barks;" and of about twenty-seven thousand tons of shipping built in all the colonies in 1772, more than eighteen thousand tons were launched from the ship-yards of the North. The vessels thus built and em-

ployed in the ports of New England, be it remarked, were owned, principally, by her own people ; while full three fourths of those engaged in carrying off the productions of the South were the property of English merchants, who resided at home, or came to the Colonies only as often as business required their presence. The trade of the planters, therefore, was an object of encouragement, and it was promoted accordingly.*

We find a collector of the customs at Charleston, South Carolina, as soon as 1685 ; and the arrival of two hundred ships there, and the export of forty thousand " barrels " of rice yearly, as early as 1731. In twelve years more, the cultivation of indigo was introduced into South Carolina, and by 1750, two hundred thousand pounds' weight of that article was exported, and three hundred ships came to that port in a year. Virginia furnished for sale a surplus of seventy thousand hogsheads of tobacco in 1758, and forty-five thousand tons of vessels entered her ports and rivers during 1771. The import and export trade of Maryland required one hundred and thirty ships as soon as 1736, and the tonnage employed in her trade in 1771 was about thirty thousand. In 1760, the infant colony of Georgia loaded thirty-seven ships with produce ; while, in twelve years more, the plantations which the noble Oglethorpe founded, and which he lived to see independent of his native land, had so rapidly improved as to employ two hundred and seventeen vessels of various sizes, and to export products of the value of more than half a million of dollars. To sum up colonial commerce as it was when on the eve of interruption from the troubles of the Revolution, we may add, that the trade between Great Britain and America was calculated to need, and to steadily maintain, one thousand and seventy-eight ships, and about twenty-nine thousand seamen ; that the Colonies took of the mother country goods worth more than sixteen millions of dollars ; and that the Colonies sent off to the different countries with which they had lawful and unlawful trade, merchandise, fish, oil, and products of the soil, of nearly or quite the same value.

* Among these encouragements, we find an act of Parliament, of the year 1706, which granted a large bounty on tar, pitch, rosin, turpentine, and shoes, exported to the mother country ; and another law of the same, passed in 1748, which offered a bounty of sixpence the pound on all colonial indigo sent directly from the place of its growth to Great Britain.

That the trade of the South, which, as we have said, was principally in the hands of English merchants, should have been deemed valuable, and that her great staples should have increased in kinds and quantities, under the fostering care of the parent hand, is by no means surprising. But when we find, that none of the colonies north of Maryland ever had a balance in their favor from their dealings with England, and were often compelled to provide for a heavy amount in money to liquidate the balance against them; and when, too, we consider the oppressive measures which weighed down their maritime pursuits, we can only account for the extent and importance to which these pursuits attained, by remembering that these measures never were, and never could be, rigidly enforced, until fleets and armies were employed for the purpose.*

We resume the consideration of the commercial policy of England as manifested at the period of the war of Independence. At the peace of '83, we had conventions of amity

* The following extract from a letter, dated London, June 12, 1775, gives, we suppose, a pretty accurate view of the state of public feeling with regard to New England, at that period. It will be seen, that the Southern Colonies were still regarded with favor. "The *Bostonians* have been guilty of numberless acts of rebellion, which have no other real foundation than their opinion, that they can resist with success. On the slightest occasion, large bodies of men appear in arms, with the avowed intention of fighting the King's troops. Let them have their humor. In every essential point of view they are the enemies of Great Britain, and their insults must not be forgiven because they are dangerous, — so dangerous, that suppose them defeated, suppose them suing for forgiveness, with all the humility which may be expected from their present insolence, they must not be forgiven; they can never be again entitled to the protection and encouragement of the mother country. Their soil and climate, their growing manufactories of iron and wool, their ship-building, and even their industry, are our natural, our irreconcilable enemies.

"The Colonists must not only be defeated, but, as far as it is in our power, they must be destroyed. This may be done without much carnage, which is so dreaded by us.

"*The steady and inflexible regulations of policy, by which every source of trade or manufactures must be cut off from the Northern Colonies, and every possible encouragement given to settlement in warmer latitudes, can alone effect it. Indigo, rice, rum, sugar, cotton, silk, and the various productions of the tropics, are commodities we want, and the habits of life in southern climates will for ever prevent their interfering with our laborious manufactures.* Mutual wants are the true foundations of trade and political friendship, and colonies established without this permanent view, have ever been the ruin of the mother country. We want nothing from the Colony most dangerous to us but provisions and lumber for the islands; and these it will furnish, even were it in a much less cultivated and improved state than it now is." The italics are our own.—*Am. Archives*. II, 961.

and trade with France, Holland, and Sweden ; but our dealings with these powers were so inconsiderable as to render the treaties nearly valueless. All saw, that our intercourse with England must be renewed, and would continue to increase ; hence, great anxiety prevailed to place it on an equitable footing. She, however, refused, once and again, to swerve from the principles of her navigation act ; and to these refusals we owe principally, if not entirely, that inestimable blessing, the present Constitution of the United States. She could agree to part with her Colonies, and to continue to them the free use of their ancient fishing-grounds ; but her spirit of commercial monopoly remained inexorable. The American commissioners, who obtained the treaty of '83, failed in their endeavors to effect a commercial arrangement with her ; and a new negotiation, ordered by Congress within ten days of the ratification of that treaty, had no better result. Yet Mr. Pitt, Chancellor of the Exchequer, one of her most gifted and sagacious statesmen, favored a liberal course, and introduced into parliament a bill which, had it passed, would have placed the trade of the two countries, and the intercourse of the United States with the British West Indies, on a satisfactory and permanent foundation. Determined upon a further trial, Congress, in sending John Adams, the first American minister, to the British court, instructed him to make fresh attempts to conclude the convention that was so needful and so much desired. His efforts — and none could have made stronger — were as fruitless as those which had preceded them.

His own comprehensive words, as found in his correspondence with Mr. Jay, the Secretary for Foreign Affairs, will show, far better than any which we can use, his zeal for the interests of his country, and the obstacles that beset him during his mission. Our extracts must be brief, but our readers will judge of their pith. He soon saw how hopeless of success was his errand, and that, to induce terms, the United States would be compelled "*to countervail.*" He was elected by ballot, on the 24th of February, 1785 ; and on the 10th of June in that year, he wrote, "it is scarcely possible, to calculate to what a height of naval power a navigation act will raise the United States in a few years" ; and, on the 26th of the same month, he thus sums up the reasoning of those around him : "*Cui bono ?* they cry. *To*

what end a treaty of commerce, when we are sure of as much American trade as we have occasion for without it." On the 19th of July, he says, that the attachment in England to the old policy in maritime affairs was so strong, that he "despaired of any equal treaty, and therefore of any treaty, until they shall be made to feel the necessity of it." Ten days afterwards, he submitted to the English ministry the draft of a convention, based on principles of fair trade of each country on and with "*all the coasts and countries*" of the other ; but so little hope had he of its adoption, that in addressing Mr. Jay, he thus expresses himself : "It is very apparent, that we shall never have a satisfactory arrangement with this country, until Congress shall be made by the States supreme in matters of foreign commerce and treaties of commerce, and until Congress shall have exerted that supremacy with a decent firmness." On the 6th of August, he writes, (after alluding to the different feeling which prevailed when he and Mr. Jay were in England together,) "*the boast is, that our commerce has returned to its old channels, and that it can follow no other*"; and he adds, that "the utmost contempt of our trade is freely expressed in pamphlets, gazettes, coffee-houses, and in common street talk. I wish I could not add to this, the discourses of cabinet counsellors and ministers of state, as well as members of both houses of parliament." In his letter of October 21st, he urges anew the necessity of retaliation, and declares, that "the commerce of America will have no relief, at present, nor in my opinion, *ever*, until the United States shall have generally passed Navigation Acts. If," he continues, "this measure is not adopted, we shall be derided, and the more we suffer, the more will our calamities be laughed at. My earnest exhortations to the States then are, and ought to be, to lose no time in passing such acts." On the 31st of January, Mr. Jay communicated to Congress his approval of Mr. Adams's course, and expressed a conviction, founded on his letters, "that general and full powers to regulate the trade of the United States, both foreign and domestic, should be vested in Congress." But the hour was not yet. Such an event, Mr. Adams congratulated himself, was about to happen, and he had labored to promote it, as we have seen ; and in writing on the 16th of May following, he amusingly observes, that as soon as such a power was conferred,

“you will begin to hear a bray in England for a treaty ; like Daniel Defoe’s game-cock among the horses’ feet, it will be, ‘*pray, gentlemen, don’t let us tread upon one another.*’ ” June 6th, he says, “if Congress should be empowered to lay taxes upon navigation and commerce, or any thing else, to pay the interest of the money borrowed in Europe, you may borrow what you will. If that is not done, their servants abroad had better be all recalled, and our exports and imports all surrendered to foreign bottoms.” Near the close of the year, he informs Mr. Jay, that “there are no symptoms of a more favorable inclination to a treaty” ; and, on the 10th of April, 1787, that “the members of parliament have been so long irritated and tormented, that they detest to hear the name of America mentioned, and the political system and national humor seem to be neither to speak nor think of it.”

Meanwhile, in the country which Mr. Adams represented, all was confusion. Whoever surveys the scene which America then presented will feel, we think, that the objects sought for by the Revolution had not been attained. We were no longer dependencies of the British crown, it is true ; but the labor of no man’s hands was secure from vicious legislation at home, or illiberal measures abroad. The whole country was not only poor, but distressed. Civil war menaced one State, and prosperity was to be found within the borders of none. The government of the Confederacy was not only unable to meet the navigation act of England, and establish a just and uniform system of commercial dealing with other nations, but seemed fast hurrying to dissolution. The efforts of individual States to protect their own trade and shipping had been without plan or concert, and consequently wholly futile. Massachusetts, as bold as any, had prohibited the exportation of merchandise of American origin in British bottoms, on pain of forfeiture of vessel and cargo ; but, not being sustained, she had been compelled to repeal the law. States that possessed foreign commerce imposed taxes on those that did not ; and in these angry collisions, the vessels of some States were treated as alien in others ; while Maryland, if not actually excluding all, legislated mainly to benefit her own. Nor were duties on imported merchandise more uniform. In some States, the impost was as low as three per cent ; in others

as high as ten. Virginia had made an impost law, but it had been repealed; and one who shared in her confidence and councils had declared, that he would "crawl to Richmond on his bare knees to prevent its reënactment." The non-importing States were clamorous against those of whom they purchased foreign commodities, for alleged unjust exactions and enormous gains; while debtors would pay nothing, and creditors obtained neither sympathy nor justice by applying to the tribunals.

Such was the condition of those who had stood side by side on many a hard-fought field; when, in January, 1786, Virginia proposed a Convention of delegates from all the States, to consider the crisis and provide for it. Most of the States responded to the call, and elected their delegates; but when the Convention met at Annapolis, Virginia, Delaware, Pennsylvania, New York, and New Jersey were the only ones actually represented. The powers of those who appeared for the first four States extended only to subjects of "trade and commerce"; but the instructions of New Jersey were, to regard "*other important matters*" also. The delegates of these five States did not deem "it advisable to proceed on the business of their mission, under the circumstances of so partial and defective a representation"; and in the report from which these words are taken, they recommended that another convention, composed of representatives from all the States, should be convened on a future day. They favored the instructions of New Jersey to her delegates then present, and urged upon the States to clothe the members of the proposed assembly with the additional powers. They were "the more naturally led to this conclusion," they said, "as, in the course of their reflections on the subject, they have been induced to think that the power of regulating trade is of such comprehensive extent, and will enter so far into the general system of the Federal Government, that to give it efficacy, and to obviate questions and doubts concerning its precise nature and limits, may require a correspondent adjustment of other parts of the Federal system."

Rhode Island feared that she should lose some of the commercial advantages of her position by any change, and refused assent to the proposition from Annapolis;* but dele-

* It would seem, that the affairs of Rhode Island, at this period, were in the hands of bad men. Under their influence, she not only refused to par-

gates from the remaining States assembled at Philadelphia, in May, 1787, and framed the present Constitution of the United States. To take from the States their power over commercial concerns, and to yield the maritime interests of the country to the guidance of the national government which was now to be formed, appears to have been the general wish of the members of this Convention; but this point conceded, unanimity of opinion ceased. In the plan submitted by Charles Pinckney, it was proposed, to confer upon Congress the power "to regulate commerce with all nations, and among the several States"; but *conditioned*, that "all laws regulating commerce shall require the assent of *two thirds* of the members present in each house." So, too, in the report of the "Committee of Detail," we find, that the same number of votes in both houses, was deemed requisite to pass a "navigation act." A principle so manifestly unjust was opposed; and upon a motion to commit the subject, Mr. Gorham of Massachusetts said, "he desired it to be remembered, that *the Eastern States had no motive to union but a commercial one*"; and significantly added, that "*they were able to protect themselves.*" On a subsequent occasion, when Mr. Pinckney's project of requiring two thirds was before the Convention, that gentleman divided the commercial interests of the United States into five distinct classes; to wit, the fisheries and West India trade of New England, the free trade of New York, the wheat and flour trade of New Jersey and Pennsylvania, the tobacco trade of Maryland, Virginia, and a part of North Carolina, and the rice and indigo trade of South Carolina and Georgia; and he insisted, that a *bare majority* of votes in Congress would prove insufficient to prevent oppressive regulations of these different interests. "The power of regulating commerce," said he, "is a pure con-

ticipate in the doings of this Convention, but remained out of the Union until after the organization of the government under the Constitution which it framed; and until after the Senate had passed a bill, to prevent the introduction into the United States of goods, wares, and merchandise, from her territory. This bill was arrested in the House by a message from the President, which announced the ratification and adoption of the Constitution; and acts of Congress were soon passed, to extend to "Rhode Island and Providence Plantations" the revenue and tonnage laws, for forming collection districts and creating ports of entry, for giving effect to the laws establishing judicial courts, for taking an enumeration of the inhabitants, &c. &c.

cession on the part of the southern States," and it is for their "true interest, to have *no* regulation of commerce." "The northern and middle States," said Mr. Clymer, who was bred in a counting-house, "will be ruined, if they are not enabled to defend themselves against foreign regulations." "Preferences to American ships," said Gouverneur Morris, "will multiply them, till they can carry the southern produce cheaper than it is now carried" in foreign bottoms. "A navy," continued he, "is essential to the security particularly of the southern States, and can only be had by a navigation act, encouraging American bottoms and seamen. In those points of view, then, alone, it is the interest of the southern States, that navigation acts should be facilitated." "Shipping," he added, "is the worst and most precarious kind of property, and stands most in need of public patronage." "The interest of the southern and eastern States," said Peirce Butler, of the family of the dukes of Ormond, and a delegate from South Carolina, "is as different as the interests of Russia and Turkey." "If," rejoined the inflexible Gorham, "if the government is to be so fettered as *to be unable to relieve the eastern States, what motive can they have to join in it, and thereby tie their own hands from measures which they could otherwise take for themselves?*" And again, he made the declaration, that these States "were not led to strengthen the Union by fear for their own safety."

The adjustment of this important question, while views so dissimilar as these prevailed, was, of course, impossible, and it was finally disposed of by compromise; the north agreeing that the importation of slaves might be continued twenty years, and the south, that only a majority, instead of two thirds, of Congress should be required to regulate the commercial concerns of the Union. Thus then, those who earn their bread on the sea, after struggling for more than a century against the domination of England, were compelled at last to pay a price to their own countrymen, in order to place their pursuits on *an equality* with those of sunnier skies; and thus did they buy the right to be preferred to foreigners as carriers of the surplus productions of the American soil! But even with this arrangement, Virginia, Maryland, and Georgia appear to have been dissatisfied; for some fifteen days afterwards, when the matter had been fairly concluded, they voted for a proposition to

deprive a majority of Congress of the power to pass "a navigation act," until the twenty years should have expired. There might have been some "good" deduced from this "seeming evil," for had Virginia been gratified, our commerce and tonnage would, probably, have continued so small, as to have required neither the "gun-boat" nor "embargo" systems to have *preserved* them; that these measures adorn our history, therefore, may be owing to the perverse spirit of New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, and South Carolina, as far back as September, 1787.

The power over commerce, thus conferred upon the National Government, has been declared by the Court of the United States to be perfect and supreme. That tribunal has decided, that the word "commerce" comprehends navigation as fully as if that very term had been used; that it extends to passenger vessels, as well as to merchant vessels, in ballast or with cargoes; that it applies to vessels propelled by steam, as well as to those which use sails; that it extends to every species of trading intercourse between the United States and foreign powers, and between the several States; that it does not stop at State lines, but can be exercised wherever commercial dealings exist; and that State laws, which tax merchants for selling, or which require licenses for selling their goods by the bale or package, are void; but on the other hand, that it does not reach mercantile transactions begun and ended between individuals residing in the same State, nor interfere with the inspection, health, quarantine, turnpike, and ferry laws of the States.

How has this power been used, and has its exercise had any influence in changing the commercial policy of England? At the time of the meeting of the first Congress, our trade was in a most disastrous condition, both at home and abroad. A ship-owner of Massachusetts, who, since the peace, had sent his vessels to six different countries, quaintly remarked, that if he might "believe good, honest, credible men, America was regarded in the same light by foreign nations as a well-behaved negro is in a gentleman's family." Though the business of the country required, and actually employed, five hundred, or, as some estimated, six hundred thousand tons of navigation, we had of our own only two hundred thousand tons, and of the balance, full three quarters

were English. England supplied us not only with her own commodities, but with a large proportion of those which we needed from other nations. Nearly all of the southern staples were carried off by English vessels, and of the profits on our imports, which were about eighteen millions, and on our exports, about twenty millions of dollars, a considerable share fell to English merchants, and those employing their capital or enjoying a connexion with them. A free and general trade with the West Indies, whether British, Spanish, French, or Dutch, was indispensable to the preservation of the fisheries, and therefore of the commerce of New England ; but in all the islands of the Caribbean sea, one port in St. Lucia, three in Hispaniola, one in Guadeloupe, and one in Martinico, were all that were open to us. In a word, our situation was so similar to that of England when her statesmen devised her navigation act, that our legislators were pointed to its leading features for a remedy. Bills were accordingly introduced, to discriminate between trade carried on in American and foreign vessels.

By these bills, merchandise imported in our own bottoms was to pay ten per cent less duty than when brought in others ; and American vessels were to be charged forty-four cents the ton less tonnage duty than those wearing foreign flags.* The discriminating principle, as applied to imports, received the official sanction of Washington on the thirteenth anniversary of our independence ; and thus, though “ independence was born ” in resisting, our commercial freedom was to be made sure by imitating, the navigation act of England. Whatever the opposition, originally, to granting to a majority of Congress the entire control of the trade and navigation of the country, and however objectionable this provision of the Constitution had appeared in the conventions at the south, the proceedings during the sessions of the first Congress, when measures for their protection were before it, afford but slight indications of sectional feeling. Indeed, so little was manifested, that Mr. Madison took occasion to remark, that though there was a diversity of opinion as to the propriety of giving preference to the vessels of our own citizens, “ gentlemen from the same State differed as much

* By an act of Congress passed March 27, 1804, a further duty, of 50 cents the ton, was imposed on foreign vessels under the denomination of “ Light money.”

as gentlemen from the extremes of the continent." Mr. Jackson, of Georgia, said, that if he could only see American ships enough to carry off our productions, he would not only consent to a discriminating impost, but "to a total prohibition of foreigners"; and when Mr. Madison, the *ultra* of the *ultras*, introduced the proposition, that after a certain day, no foreign vessel belonging to a country not in commercial treaty with the United States should "*be permitted to export from the United States any unmanufactured article, being the growth or produce thereof,*" even Massachusetts thought this was going too far, and Mr. Sedgwick rebuked him, declaring that the plan was "an impotent measure of passion, not dictated by the understanding." Such "passion" might have been unnecessary then; but now, when such conflicting opinions prevail among those who profess to wear the mantle, and to carry out the principles, of the "Father of the Constitution," we, who *still* prefer to encourage the American ship-owner rather than the foreigner, may urge that his earliest efforts — when that precious instrument was fresh from its maker's hands — were enlisted in the same cause.

The year of the passage of the discriminating impost and tonnage bills, Washington turned his attention to a commercial arrangement with England; but Gouverneur Morris, to whom he intrusted the duty of conferring with her ministers on the subject, was treated with neglect, and was directed, finally, to close his communications. In 1794, however, Mr. Jay was more fortunate, for in the treaty which bears his name, — and which excited so long and angry a controversy, — provision was made for a free trade between the United States and the British dominions in Europe; for a direct trade between the United States and the British possessions in Asia; and for a limited trade between the United States and the British West Indies. The terms prescribed for our intercourse with the latter were not acceptable to the Senate, and the treaty as ratified rendered them inoperative. The remaining articles relating to commerce expired in 1803, between which period and the close of the war of 1812, no convention was concluded between the two countries, and their dealings with each other were regulated by a series of retaliatory and countervailing measures. But England became weary of such measures on her part, and,

as confessed by Mr. Huskisson, after "*a long struggle to counteract the navigation system of America, without in any degree relaxing*" her own, "*found it necessary to adopt the system of reciprocity.*" The controversy thus came to an end ; and the treaty concluded between her and the United States, on the 3d of July, 1815, which is still in force, was the first that either nation ever formed with any power, based on principles of perfect equality and reciprocal obligation.* In the opinion of men of no mean sagacity, its operation has proved more beneficial to the shipping of England than to our own ; but had it included the same stipulations for a free and permanent trade with the British possessions in the western hemisphere, that it does for intercourse with the territories of that crown in Europe and Asia, we might be satisfied with it.

As we now close one question of commercial strife with England, we open upon another, — "the Colonial Trade." Our limits will not allow us even to enumerate the many attempts to place our relations with the British Colonies on a satisfactory ground ; and merely saying, therefore, that these attempts began soon after the peace of '83, and that they were closed in 1830, by "McLane's Arrangement," we proceed to state, very briefly, some of the effects of that "arrangement" upon our ship-owners. The colonial trade for the last thirteen years is said by many to have been "reciprocal" ; but we have watched its course during the whole period, and feel compelled to declare, that no epithet more inappropriate can be given to it ; since it can be shown, that it has driven many thousand tons of our vessels out of their accustomed employment, without affording any other business as an equivalent.

And first, it has been of serious injury to our cotton ships. The building of vessels in New Brunswick and Nova Scotia, for sale in England, is an extensive business, and we have known vessels built for this purpose to go to a cotton port at the south on their voyage "home," and obtain freights which net a fifth or a quarter of their entire cost. So, too, whenever cotton pays well, the ships which are built for

* Since the Treaty with the United States, Great Britain has entered into several others ; among them, we may mention the following : with Denmark, Austria, the Hanse Towns, France, Mexico, the Netherlands, Prussia, Russia, the Two Sicilies, and Turkey.

use in the timber trade, and which are ordinarily employed in this way, are to be found at Savannah or New Orleans accepting an eighth or a sixteenth of a penny less on the pound than our own vessels. Nor is this the whole of the mischief ; since colonial ships often go in quest of cotton when the rates are low, and thus by increasing the number of freighters, induce competition which results in a loss to all. Before the "arrangement," no such interference existed, because colonial vessels did not carry our cotton at all, while those belonging to the mother country could not lade with it, if they entered a colonial port on their way to the United States.

Were there any thing to compensate us for this state of things, it might be borne ; but as there is not, we are compelled to regard the earnings of colonial vessels as so much taken directly from the earnings of our own ships. To be underbidden in our own ports, in the carriage of our great staple, and to submit to rates of freight unnaturally and vexatiously made by vessels, which cost full one third less than the American, which are either hurrying to the English merchants who have advanced their worth, and are expecting them as "remittances," or which are occasionally withdrawn from the business of transporting timber, and at best, are mere interlopers, that seek to share all the gains, and shirk all the losses of our southern trade, is a kind of "reciprocity" which we trust will speedily terminate.

In the second place, this "arrangement" has injured our coasting business. Between one hundred and twenty-five, and one hundred and fifty, thousand tons of gypsum and grindstones are used annually in the United States, the carrying of which every year requires one thousand vessels, of one hundred and fifty tons' capacity each. Before 1830, these vessels were all American ; now, two thirds, at least, are colonial. Our coasters have a hard lot of it at best, and the loss of a trade which gave them employment during the droughts of the summer months, when our saw-mills are idle, has been most seriously felt. The United States are the only customers that Nova Scotia has ever had, or is likely to have, for her plaster and stone ; and we could have kept entire control over the manner of taking them. The transfer of their carriage to colonial bottoms seems to be a matter of no regret with many, because they regard the

whole trade as too contemptible for national concern. To transport plaster and grindstones is, indeed, an humble as well as a laborious occupation ; but those who live by avocations of higher rank and richer rewards need not sneer at it, for all that. It is an honest way of earning bread, and as such, is entitled to consideration and protection.

Again, we object to the "arrangement," because it has secured to New England no proper share of the trade in supplying the British West Indies with the articles which we have to spare, and which we steadily send to the sugar islands of other European powers. The trade with the planters was the "boon" sought for ; and, since 1830, how much of it have the northern States been able to obtain ? How much lumber, for instance, have they been able to furnish ? One fact will show, we think, precisely. An American house, well known to the writer, resolved some two years ago, to send to Trinidad a brig of their own, and a colonial brig which they had under charter ; and for this purpose, they procured *lumber which grew and was saved in Maine for each*. The lumber for their own vessel was of course laden in American waters, but that designed for the other was taken in raft to a neighbouring port of New Brunswick, within sight of their counting-room windows. It so happened, that the two vessels were in readiness to go to sea on the same day, and as they were addressed to the same merchant, their cargoes were sold at the same price. Now, on a calculation which supposes that both vessels were of the same capacity, and carried the same quantity, the earnings of each ought, on the principles of "reciprocity," to have been alike ; or, rejecting such a calculation, to have differed only in proportion as one cargo was larger than the other. Instead of this, however, an adjustment of the accounts proved, that the voyage under the British flag produced eight hundred and ninety-three dollars more than that made under our own.

No fairer case than this, as it seems to us, can ever occur. If so, it follows that the same elements of difference have existed in every adventure undertaken in an American bottom,—varying in the number of dollars only according to the tonnage of the vessel employed, or quantity of lumber carried. True, the new tariff of Sir Robert Peel shows, that this inequality is no longer to exist ; but its termination makes no recompense for the past ; nor have we any pledge, that the

former system will not be renewed. We have no time to pursue this topic, but conclude by saying, that common self-respect, common regard for the national interests, forbids us to trust to acts of parliament and colonial assemblies for the terms on which we may deal with the British possessions in America. If treaty stipulations are necessary to regulate our intercourse with England herself, they are equally necessary to direct it with her colonies.

We resume the consideration of our commercial policy as indicated by Treaties. As already remarked, our convention with Great Britain in 1815 was the first departure from the system of discrimination adopted soon after the organization of our present government. There may be no serious reason to regret that that treaty was concluded, or that its principles have been extended to some other maritime powers; but since we are among those who believe that *our fathers were men of wisdom*, we do regret that so little remains of what they accomplished. Most foreign flags may now enter our ports on the same terms as our own. Since the year 1815, we have formed treaties of reciprocity with Central America, Denmark, Sweden, the Hanse Towns, Prussia, Brazil, Austria, Mexico, Russia, Venezuela, Greece, Sardinia, Netherlands, Hanover, Portugal, and Ecuador. Mr. Madison remarked, very justly, that "the power of forming treaties of commerce with foreign nations ought to be exercised *with all possible circumspection*." Whether the power has been thus exercised in the present case may well be doubted.

In remarking upon the effects which have followed so general an abandonment of discrimination between American and foreign vessels and their cargoes, we shall use the words of the Committee on Commerce, as found in the Report named at the head of this article. The observations of a considerable period, as well as the careful examination of our official documents from year to year, had led us to many of the conclusions of this able state paper before its appearance. No inconsiderable toil, therefore, in the same field, enables us to appreciate the time and labor necessary for its compilation.* We admire it for its strong American feeling; and we make copious extracts from it, in order that

* This Report is understood to be from the pen of Mr. Kennedy.

those of our readers, to whom it is not accessible, may be possessed of the leading facts and opinions which bear upon the point under discussion. There are some expressions which we might soften, and some statements that we might qualify ; but in the reasoning, generally, we fully concur. We commence where the Committee thus speak of the system of discrimination.

“ It was (they say) avowedly and distinctively *protective* of the interests it had in charge. It was a system of restrictions upon the commerce and shipping of foreign nations for the benefit of our own. The American ship-owner was guarded and protected against the competition of the whole world, by discriminations in his favor in the duties both on merchandise and tonnage, as well as in the port charges and other expenses of his voyage ; provision was made for the encouragement of American seamen ; and the system was administered with a strict and jealous regard to the privileges which it conferred. If the severity of these restrictions was occasionally relaxed, in favor of particular nations, it was never without a specific equivalent ; and the subject was left at all times at the disposal of the Government, to be controlled by the legislation of Congress, as the occasion might demand.” “ During the period of our restrictive system, excluding from it only the interval of the war and the embarrassments that preceded that event, the growth of the American marine constitutes one of the most striking facts in the history of the country.” — p. 13.

In commenting upon the “ extraordinary increase of foreign shipping in our ports,” consequent upon the change in our policy, they remark,

“ The steadiness with which that increase has advanced, through a series of years, indicating no temporary or occasional impulse, but some permanent source of vigor, has diffused an apprehension that it is still to continue, and that it may, at no very distant day, arrive at a point which shall present the anomaly of American commerce chiefly sustained by the ships and seamen of transatlantic nations. On a question of so much concern, Congress will doubtless be influenced by broad and patriotic views of the national interest, and will not hesitate to discard whatever error of theory or practice it may be convinced has crept into the administration of this branch of our polity.” — p. 20.

After citing some statistics, which go to show the relative increase of American and foreign navigation employed

in our foreign trade, since 1830, they proceed to remark, that in that year,

“The British tonnage which entered our ports amounted to 87,231 tons; in 1835, to 529,922; and in 1840, to 582,424; being, in the first of these periods, about three fourths, and increasing, in the second and third, to nearly five sixths of the whole amount of foreign tonnage entering into the United States; while our shipping, which entered from Great Britain and her dependencies, (in 1830) amounted to 473,205 tons; in 1835, to 654,719; and in 1840, to 826,900; — that, consequently, in the first of these years, the British shipping in our trade was less than one fifth of our own; in the second, it had increased to upwards of four fifths; and in the third, stood somewhat above four sixths of that belonging to our own citizens. And it will also be perceived, that the increase of British shipping in our ports in the ten years since 1830 has reached the ratio of nearly six hundred and seventy per cent.

“The French tonnage, in the same aspect in which we have regarded the British,” continues the Committee, “was, in 1830, 11,156 tons; in 1835, it was 15,457; and in 1840, had increased to 30,701 tons.” While our “tonnage entering from France and her colonies was, in 1830, 120,793; in 1835, 107,533; and in 1840, 130,541 tons; the French, through these three periods, bearing, relatively to our shipping, the proportion of something less than one tenth in the first, of one seventh in the second, and a fraction below a fourth in the third; and having increased in the ten years since 1830 about 180 per cent. The increase of our shipping in French ports, in the same time, was about nine per cent.” — p. 21.

After noticing the steady increase of our trade with Spain and her colonies, and showing that it employed, in 1840, over seventy *per cent.* more of our tonnage than in 1830, and that the imports had increased in about the same ratio, they consider next the state of our commerce with the northern powers of Europe. Of Russian, Prussian, Swedish, Danish, Dutch, and Hanseatic shipping, they state, that the aggregate tonnage which entered our ports, in 1830, was sixteen thousand two hundred and four; that, in 1835, it was fifty-two thousand and eighty-three; and that, in 1840, it had increased to sixty-eight thousand four hundred and seventy-two tons.

“While the American shipping entering in the same years from the ports of these six Powers was, in 1830, 152,213; in

1835, 95,061 ; and in 1840, 97,683 tons. The foreign shipping having *increased* more than four hundred per cent. ; — the American having *decreased* something more than forty per cent. ; — the trade through this interval having but little changed in amount. Amongst the countries enumerated in this aggregate, the increase of the shipping of the Hanse Towns and of Sweden will attract particular remark ; — the first having increased from 9,653 tons in 1830, to 70,703 in 1837, and to 41,874 in 1840 ; the second, from 4,136 in 1830, to 16,964 in 1840, and having at one year in the interval (1837) reached 27,849 tons.” — p. 22.

From these facts and others, and from a course of reasoning which our limits will not allow us to give, the Committee derive evidence of the following facts ;

“ 1. Of a great and increasing proportion of foreign tonnage in our trade.

“ 2. That that increase has not, in any equal ratio, attended upon an increase of trade, but, especially in reference to the shipping of the north of Europe, has occurred where the trade has been nearly stationary.

“ 3. That in the excitement communicated to our commerce by the excessive increase of banking and paper money, the foreign shipping interest has profited even more than our own ; partaking of the temporary gain of that system, without sharing in the final embarrassment which it brought upon the country.

“ 4. That our navigation in general has fared best in our commerce with those nations with whom we have not negotiated reciprocity treaties.

“ 5. That the results have been most to our disadvantage where the reciprocal privilege has been established on the broadest scale.” — p. 27.

With one more extract we must conclude.

“ The Powers with which we have concluded (reciprocity) treaties — we speak especially of those of the north of Europe — are well known both to build and navigate their vessels cheaper than we can do. It is not affirming too much to say, that the materials employed in ship-building are to be procured in the Baltic States at rates of cost much below that for which they can be obtained in the United States ; that the wages of labor employed in this occupation are, in these countries, at least one half less than ours ; and that those paid to seamen and all others concerned in the navigation of their ships may be placed at an average of thirty-three and a third per cent. less than are usually

paid in the United States ; whilst all the expenses of victualling and providing for these vessels are quite as cheap if not cheaper than are incurred by our ship-owners. We do not furnish examples of these several items of cost and expense, only because the fact we have stated is notorious, and has been so often brought to the view of the country as to render it unnecessary.

“ Yet with these Powers we persuade ourselves, that our treaties have placed our commerce upon a reciprocal footing. To say nothing of the high, and even prohibitory duties which, in several of these States, are brought by their tariffs into contrast with our low duties, we have consented to open the trade of our whole country of seventeen millions of people to the subjects of these powers in exchange for the privilege of a trade which, on their side, is confined to the supply of the wants of a much smaller circle of population, and, in reference to some of them, to some few ports whose commerce, in comparison with ours, is certainly limited, if not to an inconsiderable, at least to a very inferior, amount of demand. It was going far in the way of concession, to grant the privilege of *direct* transportation to the produce of the respective countries with whom these treaties are formed. But it is scarcely conceivable what adequate motives of good policy could have presented themselves to our Government to justify the opening of our entire trade with all the world to the vessels of these Powers, — endowed as they are with such capacities for cheap navigation, — and to admit their ships and seamen into a free competition with our own, in whatever trade their merchants might think proper to embark. This we have nevertheless done ; and the consequence is, that Congress is receiving from all quarters deep complaints of the injury we have inflicted upon our own navigation, — an injury which is now in rapid progress of mischief, and which, if not arrested by timely legislation, must result in laying up our own shipping to rot at our docks, and in the surrender of our carrying trade to the friendly rivals whom our policy has done so much to favor.” — pp. 39, 40.

We have already said, in substance, that had we used our own notes in speaking of the effects of the reciprocity policy, we should not have employed Mr. Kennedy's precise arguments, illustrations, and words ; though to his doctrines in the main, and to the conclusions at which he arrives, we yield our hearty assent. As soon as the members of Congress shall have arranged every thing for the Presidential succession, our commercial relations with foreign powers will, we may reasonably hope, engage their attention. We

tell them in all friendliness and with all respect, and we tell all others to whom the maritime interests of the country are committed, whether at home or abroad, that if they would meet the expectations of their constituents whose bread they eat, these interests must—aye, *must*—receive more of their attention. The belief is prevalent and increasing among merchants and ship-owners, that their pursuits and property are not sufficiently cared for, and something must be done by our public functionaries to satisfy them. Mr. Kennedy has given to them, and to the nation at large, the results of his investigations as to their grievances, and has pronounced that their complaints are just, and that the policy which is injuring them should be modified, if not essentially changed. He, too, whose reasoning powers are excelled by none, before whose piercing vision fallacy vanishes like mist before the sun at noontide, and whose arguments opponents never overthrow and seldom reply to, in a speech at the place of Mr. Kennedy's home, has deliberately pronounced the same opinion.* If they, if others who hold this opinion, are in error, let those who think so, and who profess to believe that all is now right with our trade and tonnage, show *their* facts and arguments as clearly and intelligibly, as those of a contrary character have been made to appear in the Report of the Committee of Commerce, and in the Speech at Baltimore. The principal facts on which the Report and Speech are based, may be found in the annual Treasury Report on Commerce and Navigation, and are therefore open to the examination of all who are interested to know, whether they are carefully and honestly used to sustain the views which each present to the consideration of the American people. None, then, need to be misled, or to trust to the authority or opinion of others. The questions which are derived from these statistics must be met and disposed of; and doubt, uncertainty, instability, and insecurity will exist until there shall be some adjustment of them.

If all other aid is denied to our merchants, we may at least ask, in their name, that the enactments which require their ships to be built in their own yards, upon our own soil,

* It may be proper to guard against misconception by the remark, that the reference of the text (both here and elsewhere) to Mr. Webster's Speech at Baltimore, is to that part of it only which discusses the existing system of Reciprocity Treaties.

and to be manned principally with American citizens, may be stricken from the statute-book. If the government shall determine, after a full hearing, that American vessels must continue to compete, under an unchanged policy, with foreign vessels which are constructed of wood that costs less, by labor that is cheaper, and of iron, duck, and cordage, that pay no duties ; then, it surely will be but fair, that Americans as well as foreigners shall own and employ such vessels in which to carry off our surplus products. There is wrong — and, we had almost said, outrage — in an arrangement which places side by side, and on an equality, at Savannah and New Orleans, the ships built at Medford and New York, and those built at St. John's and Halifax ; and it should come to an end. But if there is to be no change in any of our commercial relations, let our laws so stand, that foreign vessels may come to our ports for sale, and that our merchants may go abroad and purchase, wherever ships are to be procured for the least money. And let there be no discrimination in seamen ; but let those be employed, of whatever tongue, who will work the cheapest, and for the fewest necessities and comforts. All this done, let success crown the efforts of those who shall make the best use of skill, time, and outfits, be their flag what it may. The day *was*, when American navigation received preferences at the hands of the government which was founded in order to afford it adequate protection ; but the day *is*, when we can say its owners will be grateful, if they can be placed on the same footing as their competitors from the British colonies and the Hanseatic cities. We use strong language ; but the occasion admits of it. What is talked of by every ship-owner, from Eastport to Baltimore, shall be repeated here. If we are rightly advised, Mr. Kennedy was deprived of the opportunity of giving to his associates at Washington the views and reasonings which were withheld from his Report, in the hope that they might go out to the country in the more popular form of a speech. We will do our humble part, at least, to make them more widely known.

This article is already of a wearisome length, and we must hasten to a conclusion. But as exaggerated accounts of the extent of our foreign trade are current, we will add a remark or two to show, that the state of our commerce with continental Europe, France excepted, furnishes no cause of con-

gratulation. The truth is, that our trade with all foreign countries employs something less than one third part of our tonnage ; and, taking the amount which arrives annually from places foreign to the United States as the basis of a calculation, we arrive at the following results : that full one half of the amount thus arriving enters from places and ports under British dominion ; that a half enters from nations, islands, and colonies, in our own hemisphere ; that a twelfth enters from France and her possessions ; while the *aggregate* from Russia, Prussia, Sweden, Holland, Belgium, Spain, Portugal, Madeira, Italy, Sicily, Austria, Turkey, and the Hanse Towns, is not quite one tenth.*

Of the foreign tonnage which arrives in the United States, three fourths are from places under the British flag ; five eighths are from the countries and islands of North and South America ; one twenty-third part is from France and her possessions ; one thirty-seventh part is from Spain and her colonies ; while from the Hanse Towns, the amount is greater than from all the remaining powers of Europe taken together.

The British trade with those parts of Europe, and with some other countries, with which ours is inconsiderable, is in some instances large, and in others, immense ; as will be seen from the following comparisons. Of about fifteen hundred ships which were cleared at St. Petersburg in 1830, more than one half were British, and only one in thirty-two was American ; and of those that were at Odessa the same year, one hundred and forty-seven were British, and but two were American. Of more than five thousand and seven hundred vessels, which arrived in the different ports of the Russian empire in 1832, considerably more than one fifth were from the British dominions in Europe, and only one in three hundred and thirty-six was from the United States. In 1833, there were at St. Petersburg alone about seven hundred British ships, and but one eleventh as many of ours ;

* The Committee on Commerce arrange our trade with foreign nations and their dependencies, so far as imports *from* and exports *to* them are concerned, in the following order. In the amount of tonnage employed, the rank is different. 1st, Great Britain ; 2d, France ; 3d, Spain ; 4th, Mexico ; 5th, Brazil ; 6th, China ; 7th, The Hanse Towns ; 8th, The Netherlands ; 9th, Russia ; 10th, Denmark ; 11th, Sweden and Norway ; 12th, Chili ; 13th, Venezuela ; 14th, Belgium ; 15th, Italy ; 16th, Hayti ; 17th, Sicily ; 18th, Portugal ; 19th, Turkey ; 20th, Austria ; 21st, Texas ; 22d, The Cisalpine Republic ; 23d. The Argentine Republic ; and 24th, Peru.

and of almost six thousand vessels "despatched" from Russia in 1838, more than one third (364,000 tons) belonged to Great Britain, and less than one in eighty (22,000 tons) to "North America."

The relative commerce of the two countries with Portugal presents similar results. In 1828, seven hundred British vessels were employed in the Portuguese trade, and they carried to Portugal merchandise worth twelve millions of dollars; while four years afterwards, our exports to that kingdom and all her dominions were only one fortieth part of that amount. At present, Portugal obtains the greater part of her supply of rice and tobacco from Brazil, and of codfish from Newfoundland. In truth, that British colony has furnished her with more than ten millions of quintals of this kind of fish during the last forty years; and in 1840, two hundred vessels were engaged in the business of transporting it to her markets for consumption. Of the whole number of foreign ships which enter and leave Lisbon and Oporto, we possess no certain information. But we do know, that though the first-named city is admirably situated for commerce, and formerly owned as many as four hundred ships, of the average burden of four hundred tons, the number and size have been reduced quite two thirds; and that its foreign trade is no longer in the control of its own merchants; and we know also, that though one hundred and seventy-nine British vessels (25,755 tons) were entered at Oporto in 1840, there were but ten (1,524 tons) of American during the same year.

So, too, in the trade of Naples. This kingdom receives annually of British subjects, fifty thousand quintals of dried, and nine thousand casks of pickled fish, besides cotton goods and yarns worth a million and a half of dollars, and woollens of the value of a quarter of a million more. As many as thirty-six cargoes of British fish have gone to Naples in a single year, and, while the whole number of vessels from Great Britain and her colonies which were entered at the Neapolitan ports in 1835 was one hundred and twelve, (14,865 tons,) the American flag was displayed but from one vessel, of two hundred and ten tons.

Our commerce with Prussia is quite insignificant, but that of Great Britain is large and valuable. In 1828, when only seven American vessels entered the Prussian ports, the

aggregate of British and Hanoverian tonnage was two hundred and six thousand. Nor has our trade increased since, for we find our tonnage in 1832 set down at less than five hundred, and in 1840 at less than six hundred, or less than one thirtieth of the British and Hanoverian for twelve years previously.

As with Prussia, so with Turkey. More British vessels were employed in 1836, on the Danube alone, than were entered at our custom-houses from all Turkey in 1840 ; and though the former flag covered the sea of Marmora prior to the year first named, ours had rarely been seen there. As far back as 1825, British manufacturers exported to the Turkish empire fourteen millions of yards of cotton cloth, and nearly half a million pounds of cotton twist ; and in 1831, the export of the first had increased nearly one hundred per cent., and of the last four hundred per cent. ; while our whole dealings were too small to be computed.

What is the condition of things in the trade of the Baltic ? This is a sore question, and though enough has been said upon it, perhaps, in the extracts which we have given from the Report of the Committee on Commerce, we shall give a few figures to show, that could our navigators obtain a proper share of it, our countrymen would be great gainers. We may premise, that the amount of our tonnage engaged in it, instead of increasing, as it ought to do, under the state of the imports and exports, has diminished nearly one third within the last eighteen years, and that, from present indications, it will decrease still more. The policy of "reciprocity" with the States on the Baltic is, as has been remarked, "as if two neighbours, one of immense landed estate, and the other the possessor of a single acre, should agree to exercise the right of pasturage in common." We have already shown, that in the trade with several of the countries with which we have treaties of "reciprocity," the amount of British shipping far exceeds that of the United States ; and we are now to see the same result again. The number of ships belonging to Great Britain and Ireland, which passed Elsinore, going and returning, in 1831, was 4,772, while the number which belonged to the United States was 179. In 1837, the vessels of both flags were less than in 1831 ; but still, the number of British was 3,417, (655,447 tons,) while of American it was only 104, (26,250 tons.) In 1839,

there arrived at Hamburg from Great Britain fourteen hundred and ninety vessels, and from the United States, forty ; and of the vessels of all flags which arrived at that city during that year, the proportion of British was almost one half ; of American, about one eightieth. We have no need to pursue this topic further ; but we cannot refrain from asking how it has happened, that while we have "reciprocity" conventions with Sweden, Denmark, and Russia, and can, of course, supply them with tobacco directly and in American bottoms, they obtain it loaded with the charges of brokerage and transshipment from Bremen ! If we understand the matter rightly, our "reciprocity" treaty with the Hanseatic Towns has enabled this city to become — by means of its own shipping principally — one of the great European marts for the sale of this staple. And yet, though Bremen has extensive and increasing manufactories of cotton, it has not enabled us to furnish her artisans with more than 12,000 bales of the raw material annually, because British twist continues to be admitted free.

Had we time, we might compare British commerce with our own still further. The results, as ascertained, in the trade with Venezuela, with New Grenada, with Austria, and with Italy, are not dissimilar to those in the instances already cited, and we must pass them without further comment, in order to devote a moment to the intercourse of the two countries with Morocco and Brazil. Of the trade with Morocco, Great Britain may be said to enjoy the monopoly. In 1839, only three vessels (600 tons) arrived in that kingdom from the United States ; but of British, there were two hundred and fifty-three (13,664 tons,) and, while the aggregate of British imports and exports was four millions of dollars, the sum of ours was only one twenty-fifth as much ; and in 1841, it was still less. With Brazil, the disparity, all things considered, is still greater. Great Britain, for the sake of her coffee colonies, taxes Brazilian coffee and sugar ; but we take annually coffee and hides worth five millions of dollars, on which we impose no duty ; and sugar, of the value of half a million or thereabouts, on which we lay an impost of two and a half cents the pound weight. Still, in 1840, Brazil received American products to the amount of two and a quarter millions of dollars only ; while of British merchandise, she took full ten times that value.

In instituting the preceding comparison between our own foreign commerce and that of the people from whom we derived our origin, we would not be misunderstood. Towards them, of all others, we cherish no feelings of unkindness. The Mother and the Children have had conflicting interests from the earliest hour of this relationship, and it is their destiny, probably, that this rivalry shall endure to the end of their national existence. But though Englishmen and Americans have met, and must continue to meet, as competitors in the great markets of the world, an honest endeavor to outdo each other in the cheapness of goods, and in the facility of their carriage, need create no angry strife between them. Skill, energy, perseverance, and sagacity are to be admired wherever they are found ; and in what we have said, our motive has been not to provoke feelings of hostility, but to show rather what these qualities have done for the advancement of British navigation and trade.

Whatever the windings and turnings of British politics may be, — unlike ours in one respect — ships and shops are never overlooked or forgotten. In or out of place and power, an English statesman never has been able to excuse himself to his constituents, if he wavered in his course as to the promotion of the industry of the kingdom, or slackened his zeal to devise employments for its tonnage, and to seek out new customers for its manufactures. His accountability is a just one, and the American people ought to hold their rulers to the same.

At a future time, we may discuss at greater length some of the questions which we have now but briefly and imperfectly considered, and with reference to a remedy for the evils of which we have complained. In the early days of the Republic, and before the spirit of party — its fell curse — had distorted the vision, poisoned the minds, and misled the judgment of our prominent men, Mr. Jefferson observed that “ Free commerce and navigation are not to be given for restrictions and vexations ; nor are they likely to produce a relaxation of them.” Experience, we think, has shown the wisdom of the sentiment ; and should we resume the subject of our commercial policy, it will be our purpose to present the exact “ restrictions and vexations ” which have been, and still are, meted out to us, in exchange for the “ free commerce and navigation ” which we have tendered, and continue to tender, to all nations.

ART. III. — *Critical and Miscellaneous Writings of T. NOON TALFOURD*, Author of "Ion." Philadelphia; Carey & Hart. 1842. 12mo. pp. 354.

AMONG the many gifted minds who have been influenced by the spirit which Wordsworth infused into the literature of the present age, there is hardly one who approaches nearer, in the tone and character of his writings, to the bard of Rydal Mount than Thomas Noon Talfourd, the poet and essayist. He belongs to that class of authors, who manifest so much purity and sweetness of disposition, that our admiration for their talents is often merged in our love for their qualities of heart. Criticism shrinks from a cold analysis of their powers. Their occasional fooleries of taste and faults of style are rarely visited with the pitiless peltings of sarcastic rebuke. Wherever they find a reader, they find a friend. A spirit of affectionate partisanship mingles with most criticisms on their writings. All who have partaken of their intellectual companionship have a deep sympathy in their personal welfare. We may be almost said to joy in their joy, and grieve in their grief. If they be not bound to us by the ties of consanguinity, they are still the brethren of our minds and hearts. Oceans cannot separate them from our love. National differences cannot alienate them from our affections. Wherever they go, they have the "freedom of the city." Wordsworth, Lamb, Dickens, Talfourd, Frederika Bremer, allowing for their intellectual diversities and the different influences which have modified their genius, are all authors who make personal friends wherever their writings penetrate. They are present to the mental eye with as much distinctness as the companions of our daily walks.

In speaking of Talfourd as a mental pupil of Wordsworth, we do not mean to say that he is an imitator of his master's manner, or that he closely copies any of his prominent beauties or defects; but merely that the tone and aim of the writings of the two are similar. In the spirit and essence of his genius, and not in its outward form and expression, is he a Wordsworthian. He, indeed, often adopts expressions and images which Wordsworth, in the severe simplicity of his taste, would reject with disdain. His style is richly laden with ornament, and almost monotonously musical in its flow.

His thoughts are more often seen in the imperial robes of rhetoric than in its suit of "homely russet brown." The rich flush of imagination colors his whole diction. At times, he is fastidiously nice in his choice of language, and a fondness for dainty and delicate epithets sometimes gives to his style an appearance of prettiness and enfeebling affectation. He luxuriates too much in the "nectared sweets" of language and imagery, and is apt to impair the manliness and vigor of his diction by redundant fancies and sugared words. When his own stores of sweetness fail him, he avails himself of those belonging to others. His diction is studded with apt quotations, teeming with richness of sentiment and style. But still he shares in all the essential characteristics of the school of Wordsworth, and gives evidence on every page of that "quiet eye, which sleeps and broods on his own heart." The mingling spirits of meditation and imagination are the inspiration both of his poetry and criticism. His manner is almost always quiet, even when he is severe. There is nothing in his general style to interrupt the calm and steady flow of his thoughts and feelings — no glare, no rush, no epigrammatic point, no "agony" and "wreaking" of mind upon expression. His temper is kindly, and averse from any use of sarcasm and denunciation. There is even little evidence in his writings of that directness and dogmatism, which sometimes spring from the untrammelled exercise of a sharp, clear intellect, seeing objects in the white light of reason. His logic is often held in bondage to his affections or associations, and accommodates itself to the wishes of his heart. He is apt to consider matters of reasoning and observation as though they were matters of taste. As a logician, he has many of those faults which poets who aspire to the honors of dialectics, experience so much difficulty in avoiding. He would probably be a more pleasing writer, if his fine humanity were accompanied with greater strength of passion, or more grasp and independence of understanding.

The prose essays, the title of which we have chosen as a caption for our notice of Talfourd, abound in beauty. Indeed, the author's mind seems hardly to apprehend the mean and the deformed. His heart and imagination flow out in his compositions, and color and consecrate whatever they touch. It is difficult to resist their pleading tones, even when they appear as advocates for critical fallacies. The

sophistry of their warm goodness is more pleasing than the logic of passionless reasoning. They seem to have been nurtured on the "selectest influences of creation," and to have been preserved from the "contagion of the world's slow stain." Love, beauty, goodness, sincerity, pure thoughts, and fine sympathies, all in human character which is sweet and gentle, seem to have sprung up in his nature as from celestial seed. An air of inexpressible purity is spread over his compositions. There is not one premeditated line in his prose or verse, which can be associated with a base or immoral idea. It may be said of him with truth, that although he has been the source of much pure delight to thousands, he has never made his talents ministers of evil, nor sought popularity by pampering depraved tastes. Throughout his works, we ever find beauty linked with goodness.

The reprints of what are called the "modern periodical essayists," including the present collection of the writings of Talfourd, naturally suggest a comparison between the periodical literature of the present age, and that which existed in England during the latter half of the last century. No publisher, however enterprising, would hazard a republication of articles extracted from the old *European* and *Gentleman's Magazine*, and the *Monthly Review*. Indeed, until the establishment of the *Edinburgh Review* in 1802, there were few, if any, periodicals worthy of comparison with the critical journals of the present day. Before that period, the regular monthly visitors to the fireside and the study were conducted by men of inferior abilities, and rarely contained articles worthy of preservation. There was an equal want of good books and good critics. On the publication of any work by an author of reputation, the reviewer tamely and timidly followed the footprints of his opinions and investigations, and rarely attempted more than a meek digest of both. No task can be more severe than to travel through the sterile tracts of periodical literature during the period we have indicated. The very appearance and "complement extern" of an old magazine is suggestive of insipidity and dulness. We can pick up little in it but the dry chips and shavings of thought and knowledge. Letters from country gentlemen about some subject in which none but country gentlemen can be supposed to take any interest—communications from small antiquarians, on small antiquities—a large number of metrical pieces which

no country editor would now dare to publish in his poetical corner — the ambitious struggle of the meanest mediocrity to look like moderate talent — the coquetry of Mr. Robert Merry, the divine poet, with Miss Anna Matilda, the sad poetess, both hailing from Della Crusca — an infinite number of little epistles on little subjects, devoid alike of forcible thought and vigorous expression — every thing, in short, but things of interest and excellence, composed the material of most periodicals during the last fifty years of the eighteenth century. The Reviews conducted for a short period by Gilbert Stuart and Dr. Smollett were, by virtue of their rancor and malice, an exception to the stupidity of the mass. But flatness, insipidity, an absence of valuable information and mental vigor, a cringing and creeping deference to established codes of criticism, and a sickening weakness of expression, characterized most monthly journals during that period, when their contributors peopled the mansion-houses of fat-witted country squires, and the attics and cellars of Grub Street. How that unfortunate portion of our fellow-creatures, known by the name of the “reading-public,” could not only purchase, but read, these stupid apologies for literature, is a mystery more puzzling than the debated authorship of Junius. It is impossible to discern the exact point in the descent of literature, when its productions will cease to command the money, and excite the attention, of the simple and the well meaning. People in all times have their own peculiar methods of obtaining misery at a cheap rate. We buy ninepenny reprints of fashionable novels.

But the Edinburgh Review disturbed the smooth, stagnant waters of monthly and quarterly dulness. The tone of its early numbers was such as to make all disciples of stupidity and all professors of bathos fear and tremble. It was radical, revolutionary, almost piratical, in its warfare against existing abuses. It had the hardihood to consider folly, affectation, and undue pretensions, as crimes deserving of severe punishment. Its principal writers were men of fine clear intellect, with an exquisite perception of the ludicrous, a large command of the language, and a singular union of the sharp, fleering tone of dogmatists, with the accomplishments of scholars and men of taste. They were distinguished for subtlety rather than amplitude of comprehension; and were better fitted to discern with delicate tact the faults and absurdities of hacks and pedants, than to detect, appre-

ciate, and foster the writings of great, but undisciplined, genius. They battled as fiercely against Wordsworth, Coleridge, Southey, Lamb, and Montgomery, as they did against the poor poetasters and literary fops and hirelings, whose names it would be almost a disgrace to remember. The success of their first efforts against book-makers, and the favor with which their lively and malicious pleasantry was received by the public, appear to have impressed them with a magnified idea of their own importance and powers. They constituted themselves, with a quiet assurance almost unparalleled in literary history, the judges of the whole realm of letters; stated and abandoned their own laws of criticism at pleasure; considered the publication of a book as *primâ facie* evidence of crime, of which only great merit could be received in apology; summoned every writer to their tribunal, and dealt out to him eulogy or blame as their tastes, whims, wit, or politics might prompt; were often intolerant and harsh in their judgments, where the victim could bring strong recommendations to mercy; and, by the mingled force of talent and assurance, they contrived for a series of years, and in a time affluent in great names, to exercise a predominant influence upon public opinion, and to give the tone to public taste. Grub-street fought desperately at first to regain its old dominion; but it soon fell, "pierced through and through with cunning words," and was buried beneath the weight of its own explanatory, defamatory, and lugubrious pamphlets, — forty of which, excited by articles in the Edinburgh, and accusing it of all modes and shows of literary injustice, dropped heavily from the press in one year.

The success which attended the great Quarterly gave a strong impulse to periodical literature. Magazines and reviews multiplied rapidly. Almost all the talent of Great Britain found its way occasionally into their pages. Each of the great political and religious parties had its code of criticism, its rank and file of periodical essayists, its representatives of party principles and party literature. Each journal attempted to surpass its contemporaries in vigor, brilliancy, and point. A certain fierceness of tone was infused into criticism. No writer, however high his genius or noble his motives, could publish a book without suffering insult and injustice from some one of these flashing and bitter exponents of *cliques* and parties. Shelley, Byron, Hunt,

Hazlitt, Barry Cornwall, Keats, Campbell, Southey, Wordsworth, were all defamed or eulogized as clashing tastes or opinions dictated. Hunt and Hazlitt, in particular, were studiously libelled for many years, in all the Tory journals. Amidst all this injustice and brilliant bitterness and vituperation, however, there was often manifested much mental power, and a great amount of valuable knowledge. Essays on all subjects connected with the philosophy of literature, history, and politics, the productions of men like Mackintosh, Jeffrey, Hallam, Gifford, Southey, Campbell, Macaulay, and Carlyle, were almost as common as the literary immoralities and cruelties with which they were accompanied. In looking over a file of the *Edinburgh* and *Quarterly Reviews*, we often find a grave disquisition followed by a furious political diatribe, and preceded by a fleeing attack on some Whig or Tory poet. The political bigotries, which would seem to be out of place in any other locality than a bar-room, are often warmly defended in the same journal which contains an eloquent and noble piece of æsthetic criticism, or a vigorous and comprehensive essay on Milton or Bacon. Many of the political papers, and unjust criticisms also, though intended to serve a transient purpose, often displayed great dialectical and rhetorical skill. Analysis prompted by sincerity, benevolence, and principle, is often less keen and powerful than analysis stimulated by envy, intolerance, and all uncharitableness.

We have intimated our high opinion of the value of the essays and disquisitions with which British periodical literature is now so amply filled. An eminent publishing house in Philadelphia has very wisely undertaken to reprint these, and to give them a general circulation in the United States. To this enterprise we owe the collection of Talfourd's prose writings, — gems which were originally set in the *Retrospective Review* and *New Monthly Magazine*, but which did not attract, in that form, perhaps from the very fineness of their workmanship, the attention they deserved. They bear in almost every sentence marks of care and labor, and are distinguished from the compositions of contemporary essayists, not only by peculiarities of temperament and opinion, but by the sedate beauty and calmness of their tone. We can perceive in them none of that deliberate fury, that spasmodic and convulsed energy, that incessant struggle after

brilliancy, which characterize the style of most writers for the English magazines. They do not appear to be the productions of haste, prejudice, or whim, but seem to have been carefully meditated in those hours of the author's life, which were peculiarly favorable to chasteness of thought and felicity of composition. Nothing appears in them calculated to suggest the hired hack, torturing his mind into something like vigor, inspired by a distant view of the high reward of eight guineas a sheet.

His critical writings manifest on every page a sincere, earnest, and sympathizing love of intellectual excellence and moral beauty. The kindness of temper and tenderness of sentiment, with which they are animated, are continually suggesting pleasant thoughts of the author. He festoons the scalpel of the critic with roses. Hatred, scorn, and dogmatism rarely vex the unruffled stream of his thoughts and emotions. A fine humanity pervades and harmonizes his mind. But his sweetness of disposition in many cases disturbs the clear action of his intellect. The critic, of all persons, should have a keen eye. His province is to see, more, perhaps, than it is to feel. If the clearness of his vision is dimmed by discipleship or enmity, or if the object which he examines be discolored by the hues of his own mind, he gives us a fancy picture, not a portrait; he adds or takes away from the original, until its real features are lost. In Talfourd's critiques, we discover much which can hardly be called critical. The judge is too apt to lose himself in the advocate or disciple. To use his own words, in speaking of Hazlitt, he sometimes confounds the processes of argument with those of feeling. He is more often at the feet of Gamaliel than in the judgment-seat. He bends his knee in reverent homage to the great and the good. The splendid notices of Wordsworth, Coleridge, Lamb, and Mackenzie, are rapturous hymns in praise of those authors, rather than sharp, analytical judgments on their merits. Talfourd has none of that dogmatism of feeling, which impels Macaulay to exalt himself above his subject, and remorselessly analyze and dissect even his favorite authors; neither does he, like the same writer, take some authors captives of his criticism, and exhibit their scalps in proof of his prowess. All warfare against poets or prose writers, whether conducted on Indian or civilized principles, he

steadily eschews. He becomes really critical only when he applies the principles educed from the works of his favorite authors to writings which are formed on a different system, or which spring from a different moral or mental source ; and then he is frequently partial and one-sided in his view. He describes the genius of a poet, not as it is in reality, but as it has affected his own imagination and sympathies ; and he consequently pours out, in the praise of a cherished author, the whole wealth of suggestive thought which belongs to his own mind. He thus gives the object of his eulogy credit for all the ideas and imaginations which he has awakened, as well as for all which he has directly imparted. By this method, we have an abstract and expression of two minds, not of one, — as in the Dialogues reported by Plato, where the disciple adds to the teachings of the master, without claiming his share of the joint product.

The prominent characteristic of Talfourd's critical system is his view of the nature and sphere of imagination, stated with considerable definiteness in his articles on Maturing, Wordsworth, and Hazlitt, and influencing his judgment in others. This theory essentially modifies his opinions of books and men, and, though beautiful in itself, appears to lie open to weighty objections. It is a curious fact, and one which well illustrates the influence of the spirit of discipleship, that Talfourd narrows the domain of imagination within the sphere of Wordsworth's genius. His definition of the faculty is as follows : " In our sense, it is that power by which the spiritualities of our nature, and the sensible images derived from the material universe, are commingled at the will of the possessor. It has thus a twofold operation, — the bodying forth of feelings, sentiments, and ideas, in beautiful and majestic forms, and giving to them local habitations ; and the informing the colors and shapes of matter with the properties of the soul."

This definition we conceive to be narrow. It does not cover the whole extent of the power. It restricts the operation of the faculty to the capacity of discerning, suggesting, and commingling analogies. Is this the whole of its province ? Are not the creation of individual characters and the invention of incident among its legitimate efforts ? The conception and creation of the characters of Lear and Macbeth seem to us as noble efforts of the imagination, as the commingling of the spiritualities of their natures with the sen-

sible images derived from the material universe. To apply the *argumentum ad hominem*, we might ask, is not the creation of the character of Ion out of the finest elements of humanity as grand and beautiful an operation of the "faculty divine," as any of the images in which his thoughts and sentiments take shape and hue? But Wordsworth is deficient in the power of creating character and incidents. His genius is intensely subjective and egotistical. He pours his personal feelings into every thing he writes. He makes nature and man speak in his peculiar dialect. A theory must therefore be invented, by which the poetic power of Wordsworth shall be made the measure of the poetic power itself; and Talfourd has effected this, with a seeming unconsciousness of sophistry which it is quite edifying to witness.

There is still another objection to be made to Talfourd's critical canons. Connected with his theory of the scope of the imagination, he has another relating to its operation as the reconciling and harmonizing principle of the mind. He also gives to its analogies more authority than belongs to the deductions of the understanding. In his system, imagination sees truth in clear vision. Like figures, it cannot lie. All the other mental faculties are liable to delude us, but this divine power, if it exist at all, must ever picture forth what is real and true. It discerns the eternal substance, not the "shows and shams," of things. "A mirror can no more reflect an object which is not before it, than the imagination can show the false and the baseless." Our author, indeed, gives it all the intuitive power which Cousin confers on the "spontaneous reason." We are gravely told, that the faculty is never irregular, confused, dim, or unreal in any of its manifestations; that gaudiness of diction, excess of metaphor, turbulence, and a number of other qualities which many good people conceive to spring from the predominance of the poetic faculty, do not arise from an *ill-regulated* imagination, for such a term is altogether inapplicable to the power, but rather from excessive sensibility and verbal fluency. He is certainly correct in distinguishing false from true imagination, and vindicating the faculty from many of the tasteless enormities which have passed for its creations; but in his zeal he forgets facts and abandons logic. From his statement it would seem that no one can imagine what does not exist; that we are never fooled by fantasy; and that

Hamlet grossly libelled the power, when he hinted the possibility that his imaginations might be as foul as Vulcan's stithy. Besides, our author, in his other essays, is not altogether faithful to his own principles. We can occasionally detect expressions and illustrations, which are logically inconsistent with his cherished notion. His admiration, at times, will burst out, in spite of his theory, in praise of imagination when it is distempered, or shadows forth unreal mockeries.

The notion that the imagination acts as the harmonizing principle of the mind we conceive to be fallacious. The general suffrage would be in favor of a directly opposite opinion. Besides, it does not follow from Talfourd's definition of the faculty, and it is likewise contradicted by facts. It is merely an assumption. The method of reasoning which the author followed in arriving at his singular conclusion, was probably something like this ; — Wordsworth must be placed above all the other poets of the age. The mind of Wordsworth as developed in his writings is harmonious. It rarely seems stung and stirred into action by passion and impulse ; it is cool and philosophic. Therefore the imagination, which above all others is the faculty of the poet, must act as the reconciling principle of the soul, and be the source of its harmony. — This is truly an accommodation of the "shows of things to the desires of the mind," which reflects more credit upon the poet than the logician.

We cannot see any necessary connexion at all between the power of commingling at will the "spiritualities of our nature" with sensible images, and a harmonized state of the whole inward nature. Among Wordsworth's contemporaries, Shelley and Byron are examples at once of great imaginations and unsettled minds. They possessed, in a high degree, the power of "informing the colors and shapes of matter with the properties of the soul," and "of bodying forth ideas, feelings, and sentiments in beautiful and majestic forms" ; and whether these ideas, feelings, and sentiments were pernicious or good, false or true, the forms in which they were embodied were still beautiful and majestic.

" For they knew
How to make madness beautiful ; and threw
O'er erring thoughts and deeds a heavenly hue
Of words, like sunbeams, dazzling, as they past,
The eyes which o'er them shed tears feelingly and fast."

The "heavenly hue" of all language comes from imagi-

nation, and cannot be caught from the lexicon ; and the fact that this has been thrown over madness, error, lust, and intemperance, is too notorious to admit of doubt. From a single page of Shelley's writings, there can be selected as many examples of the true power of imagination, as defined by Talfourd, as animate, we had almost said, a whole book of the "Excursion" ; and it is equally true, that the images themselves are as likely to be the embodiment of restlessness, discontent, pantheistic abstractions, and other "spiritualities" of our nature, as of ideas, feelings, and sentiments springing from a harmonized heart and brain. Indeed, the illustrations from Shakspeare, which, in the essay on Wordsworth, Talfourd adduces as instances of the highest exercise of the faculty, are nothing more than the throes of the imagination in a mind either turbulently confused, or fixedly and sullenly misanthropic — as with Lear in his ecstasies of passion, or Timon in his intensest hatred of his kind. And it is a curious fact that, in the composition of these dramas, Shakspeare himself was expressing to some extent the gloom of his own great soul, when it was in a condition altogether inharmonious and *un-Wordsworthian*. Hallam very acutely remarks, "There seems to have been a period of Shakspeare's life, when his heart was ill at ease and ill-content with the world or his own conscience ; the memory of hours misspent, the pang of affection misplaced or unrequited, the experience of man's worser nature, which intercourse with ill-chosen associates by choice or circumstances, peculiarly teaches ; these, as they sunk down into the depths of his great mind, seem not only to have inspired into it the conception of Lear and Timon, but that of one primary character, the censurer of mankind." He then proves that the plays, in which this misanthropical spirit is manifested, "As You Like It," "Hamlet," "Measure for Measure," "Timon," and "Lear," all belong to one period — between 1600 and 1604. After this time, "Shakspeare never returned to this type of character in the personages."

It can hardly be denied, that Wordsworth possesses the power of imagination in a high degree ; but it can be denied, that the seeming harmonious action of his mind results from his possession of it. Talfourd, in another connexion, has a sentence which, to us, seems to explain the whole matter. Speaking of Mackenzie's sentimental style, he observes, "its

consecrations are altogether drawn from the soul. The gentle tinges which it casts on human life are shed not from the imagination or fancy, but from the affections." This is true of much that is poetical in Wordsworth. His mind, by original constitution and the circumstances attending its culture, — from the predominance of the gentler affections over the passions, and of the musing and meditative over the impulsive portion of his nature, — is less unrestful and stormy than the minds of the large majority of great poets. But whether it be more richly gifted with a shaping imagination, is altogether a different question, with which the rounded harmony of his powers and affections has little to do. Indeed, to give imagination the office not only of expressing thought and feeling in pictures, but of exercising likewise all those functions which belong to volition, conscience, the affections, and the religious sentiment, is to violate all metaphysical propriety.

To assert that the imagination can never reflect the unreal, or be the spring of any "irregularities of genius," — can never throw a deceptive hue over outward objects, and lead the mind astray, — can never pander to lust and "link vice to a radiant angel," — is to give the lie direct to the "Lives of the Poets." The imagination can, it is true, embody truth and goodness in the shapes and hues of grandeur and beauty ; but it can do, and it has done, the same to licentiousness, skepticism, and misanthropy. This is generally called imagination perverted ; but in Talfourd's system, the faculty is essentially incapable of perversion. If the poetic faculty had always been employed in the service of truth and goodness — if by its very nature it were pure and beyond the touch and stain of bad passions — if all its creations were unsullied by sin — the objections which many good and respectable, but somewhat narrow-minded, people entertain for what are called works of imagination, would be the most senseless prejudices ever held by human beings.

We have considered Talfourd's views on this subject at some length, because they materially influence the character of his criticisms, especially upon the impulsive poets of the school of Byron and Shelley. He is not, it must be confessed, always consistent in the application of his principles ; but they are still obstinately intruded upon the reader's attention, and arouse at last that nervous opposition, which a

smooth and pleasant sophism, pranked out in the purple and fine linen of language, would at first fail to excite. We also object to his theory on another ground. It is the parent of much cant, which is growing into fashion among many of our own writers, about the inherent religion of poetry. Every young bard who stains foolscap with octo-syllabic or seven-syllabled verse, squeaking with "utterances" and "morning glories," is in danger of conceiving himself, by virtue of his imagination, "a sinless child"; and in men of a higher order of mind, it is working a graver evil, by inducing them to exalt poetry above the Bible, — to deny altogether the inspiration of the New Testament, even in its sublime promises, and to believe altogether in the inspiration of Shakspeare, even in his puns and indecencies.

As far as our author's criticisms are uninfluenced by his championship of Wordsworth, they are able and eloquent. His opinions appear formed from a long-continued brooding over the works of which he is speaking. The essay on the writings of Wordsworth is one of the most beautiful tributes of admiring gratitude ever paid to genius; and although excessive in the strain of eulogy, and containing some questionable principles of taste, cannot be read without delight even by poetical sectarians. The finest passage is that in which he vindicates his master from the charge of displaying bad taste, both in the choice of his themes and in his rejection of the usual blandishments of diction.

"But most of the subjects of Mr. Wordsworth, though not arrayed in any adventitious pomp, have a real and innate grandeur. True it is, that he moves not among the regalities, but among the humanities of his art. True it is, that his poetry does not 'make its bed and procreant cradle' in the jutting frieze, cornice or architrave of the glorious edifices of human power. The universe, in its naked majesty, and man, in the plain dignity of his nature, are his favorite themes. And is there no might, no glory, no sanctity in these? Earth has her own venerablenesses — her awful forests, which have darkened her hills for ages with tremendous gloom; her mysterious springs pouring out everlasting waters from unsearchable recesses; her wrecks of elemental contests; her jagged rocks, monumental of an earlier world. The lowliest of her beauties has an antiquity beyond that of the pyramids. The evening breeze has the old sweetness which it shed over the fields of Canaan, when Isaac went out to meditate. The Nile swells with its rich waters towards the bulrushes of Egypt, as when the infant

Moses nestled among them, watched by the sisterly love of Miriam. Zion's hill has not passed away with its temple, nor lost its sanctity amidst the tumultuous changes around it, nor even by the accomplishment of that awful religion of types and symbols which once was enthroned on its steep. The sun to which the poet turns his eye is the same which shone over Thermopylæ; and the wind to which he listens swept over Salamis, and scattered the armaments of Xerxes." — p. 129.

The essay on the genius of Scott is discriminating and well-written. Indeed, there is hardly one among the twenty-three essays and reviews which form the Philadelphia collection of Talfourd's writings, which will not repay a careful perusal. If they do not belong to the stimulative class of compositions, neither can they be ranked among the narcotics. Perhaps the term "sedative" would describe them best. The richness of the author's mind and heart is lavished upon all. A fine detecting sense of moral and intellectual beauty — a sensibility both quick and deep — an imagination, affluent in images of grace and loveliness — a perfect command of ornate and picturesque language — are manifested in his treatment of every subject; and his occasional fallacies seem to spring from a desire to vindicate those mental qualities intended for the service of goodness and virtue, from the obloquy of having ever thrown a false glare around error and crime. In his notices of those poets who have met his moral wants and natural sympathies; who have been for years the cherished companions of his heart, and given voice and shape to his affections and feelings; who have surrounded his path with forms of beauty and grace, and nursed all the tendencies of his nature to pensive musing with gentle and holy thoughts and emotions; who have become, in short, part and parcel of himself, and melted into his own being, Talfourd is almost always a worshipper rather than a critic, but a worshipper equalling in eloquence the idol to which he bends. His description of a writer's powers is so warm and kindling, and he claims for him such high qualities, that we are apt to meet with disappointment when we turn to the object of his eulogy, to verify the panegyric; and we often feel a sense of shame come over us, that ideas and images which can awaken in his nature such vivid perceptions of loveliness, power, and grandeur, should often fall into our own,

"Like-snow flakes on a river,
One moment bright, then lost for ever."

Talfourd's sympathy sharpens his intellectual acuteness. The most recondite gleam of beauty in thought, or felicity in expression, he detects with a delicacy and discrimination which none but a poet could employ. His mind darts, with the speed of instinct, to the comprehension of the most subtle idea or allusion which reaches his imagination through his heart. He is almost an epicurean in his appreciation of some classes of poetry. He absolutely feeds on tenderness of sentiment and intellectual beauty. To all writers of the tempestuous school, who come to him with heart-shattering miseries, riotous and noisy in turgid epithets and swelling diction, and demanding the sympathy and commiseration of the whole universe, he seems to exclaim, "disturb not my peace with your wailings; my balm can assuage none of your pains; you have no imagination, but only a tyrannous sensibility and a fatal fluency of language"; but to those who come to him with more harmony of tongue and motion, who are at once "meek and bold," and who make no unnecessary parade of metaphor and sinfulness, he adopts a different strain of remark, and gives them a home in the inmost sanctuaries of his heart.

Numerous extracts might be made in illustration of our remarks on these essays. We have space but for a few, although the richness of the materials would warrant many. The following is a fine tribute to Coleridge, containing, however, a few observations, in which most readers will hardly concur.

"Not less marvellously gifted, though in a far different manner, is Coleridge, who, by a strange error, has been usually regarded as belonging to the same school, partaking of the same peculiarities, and upholding the same doctrines. Instead, like Wordsworth, of seeking the sources of sublimity and of beauty in the simplest elements of humanity, he ranges through all history and science, investigating all that has really existed, and all that has had foundation only in the strangest and wildest minds, combining, condensing, developing, and multiplying the rich products of his research with marvellous facility and skill; now pondering fondly over some piece of exquisite loveliness, brought from a wild and unknown recess; now tracing out the hidden germ of the eldest and most barbaric theories; and now calling fantastic spirits from the vasty deep, where they have slept since the

dawn of reason. The term 'myriad-minded,' which he has happily applied to Shakspeare, is truly descriptive of himself. He is not one, but Legion — 'rich with the spoils of time,' richer in his own glorious imagination and sportive fantasy. There is nothing more wonderful than the facile majesty of his images, or rather of his worlds of imagery, which, even in his poetry or his prose, start up before us self-raised and all perfect, like the palace of Aladdin. He ascends to the sublimest truths, by a winding tract of sparkling glory, which can only be described in his own language —

“ ‘the spirits’ ladder,
That from this gross and visible world of dust
Even to the starry world, with thousand rounds
Builds itself up; on which the unseen powers
Move up and down on heavenly ministries —
The circles in the circles, that approach
The central sun with ever-narrowing orbit.”

“ In various beauty of versification, he has never been exceeded. Shakspeare, doubtless, has surpassed him in linked sweetness and exquisite continuity, and Milton in pure majesty and classic grace — but this is in one species of verse only — and, taking all his trials of various metres, the swelling harmony of his blank verse, the sweet breathing of his gentler odes, and the sybil-like flutter alternate with the murmuring charm of his wizard spells, we doubt if even these great masters have so fully developed the music of the English tongue. He has yet completed no adequate memorials of his genius; yet it is most unjust to assert, that he has done nothing or little. To refute this assertion, there are his noble translation of *Wallenstein* — his love-poems of intensest beauty — his *Ancient Mariner*, with its touches of profoundest tenderness amidst the wildest and most bewildering terrors — his holy and most sweet tale of *Christabel*, with its rich enchantments and its richer humanities — the depths, the sublimities, and the pensive sweetness of his tragedy — the heart-dilating sentiments scattered through his ‘*Friend*’ — and the stately imagery which breaks upon us at every turn of the golden paths of his metaphysical labyrinths. And, if he has a power within mightier than that which even these glorious creations indicate, shall he be censured because he has deviated from the ordinary course of the age, in its development; and, instead of committing his imaginative wisdom to the press, has delivered it from his living lips? He has gone about in the true spirit of an old Greek bard, with a noble carelessness of self, giving fit utterance to the divine spirit within him. Who that heard can ever forget him — his mild benignity — the unbounded variety of his knowledge — the fast succeeding products of his imagination — the

childlike simplicity with which he rises, from the driest and commonest theme, into the widest magnificence of thought, pouring on the soul a stream of beauty and of wisdom to mellow and enrich it for ever ! The seeds of poetry which he has thus scattered, will not perish. The records of his fame are not in books only, but on the fleshly tablets of young hearts, who will not suffer it to die even in the general ear, however base and unfeeling criticism may deride their gratitude ! ” — pp. 212 – 214.

In the article on Mackenzie, there is a felicitous and discriminating sketch of Sterne, which we extract :

“ We think that, on the whole, Mackenzie is the first master of this delicious style. Sterne, doubtless, has deeper touches of humanity in some of his works. But there is no sustained feeling — no continuity of emotion — no extended range of thought, over which the mind can brood in his ingenious and fantastical writings. His spirit is far too mercurial and airy to suffer him tenderly to linger over those images of sweet humanity which he discloses. His cleverness breaks the charm which his feeling spreads, as by magic, around us. His exquisite sensibility is ever counteracted by his perceptions of the ludicrous, and his ambition after the strange. No harmonious feeling breathes from any of his pieces. He sweeps “ that curious instrument, the human heart,” with hurried fingers, calling forth in rapid succession its deepest and its liveliest tones, and making only marvellous discord. His pathos is, indeed, most genuine while it lasts ; but the soul is not suffered to cherish the feeling which it awakens. He does not shed, like Mackenzie, one mild light on the path of life ; but scatters on it wild corruscations of ever-shifting brightness, which while they sometimes disclose spots of inimitable beauty, often do but fantastically play over objects dreary and revolting. All in Mackenzie is calm, gentle, harmonious. No play of mistimed wit, no flourish of rhetoric, no train of philosophical speculation, for a moment diverts our sympathy. Each of his best works is like one deep thought, and the impression which it leaves, soft, sweet, and undivided as the summer evening’s holiest and latest sigh ! ” — pp. 20, 21.

We cannot refrain from copying the following beautiful, yet somewhat exaggerated, estimate of the genius of Barry Cornwall, not so much for its intrinsic merit, as for its affording hearty praise to a fine poet, who has been ridiculed and maligned with much coarse inhumanity by a class of political critics in his own country.

"Barry Cornwall, with the exception of Coleridge, is the most genuine poet of love, who has for a long period appeared among us. There is an intense and passionate beauty, a depth of affection, in his little dramatic poems, which appear even in the affectionate triflings of his gentle characters. He illustrates that holiest of human emotions, which, while it will twine itself with the frailest twig, or dally with the most evanescent shadow of creation, wasting its excess of kindness on all around it, is yet able to 'look on tempests and be never shaken.' Love is gently omnipotent in his poems; accident and death itself are but passing clouds, which scarcely vex, and which cannot harm it. The lover seems to breathe out his life in the arms of his mistress, as calmly as the infant sinks into its softest slumber. The fair blossoms of his genius, though light and trembling at the breeze, spring from a wide, and deep, and robust stock, which will sustain far taller branches without being exhausted. In the vision where he sees 'the famous Babylon,' in his exquisite sonnets, and yet more in his *Marcian Colonna*, has he shown a feeling and a power for the elder venerableness of the poetic art, which, we are well assured, he is destined successfully to develope." — p. 215.

The work on which Talfourd has expended the full wealth of his genius, is the tragedy of "Ion." Schlegel says, in his observations on Lear, "Of the heavenly beauty of Cordelia, I do not dare to speak." A moral fear of a similar nature should come over the heart of every critic, who attempts to "break into parts for separate contemplation" this exquisite creation of our author's mind. A person who reads it in an earnest, sympathizing spirit, and allows the full stream of its harmony to flow at once into his heart, conscience, and imagination, is in little danger of exaggerating its excellence by hyperbolical panegyric. The fine humanity which breathes through it touches the finest chords of the moral nature. Its ideal of greatness and virtue is the same which Christ taught and realized. It teaches, that gentleness is power, and self-sacrifice the noblest ambition. The flow of the verse, the exquisite nicety of the language, the picturesque beauty of the imagery, the holiness and elevation of the thoughts, the delicious purity and sweetness of the tone of the composition, and the rare spiritual harmony with which it is pervaded, entitle it to a very high rank among the great poems which no age will willingly let die. The character of Ion is the embodiment of moral beauty. It could have

risen from the depths of no soul but one of singular purity and loveliness. It is one of those "things of beauty," which become a "joy for ever." It "floats like a lily, on the river of our thoughts." Any objections to the work which criticism may raise, cannot break one link in that golden chain by which it is bound to our deepest sympathies and highest imaginations.

Talfourd is the author of two other tragedies, which have less merit and celebrity than "Ion"—"The Athenian Captive," and "Glencoe." Both are well written, and if produced by any other man than the author of "Ion," would be justly esteemed as evincing considerable dramatic power, force of thought, and fineness as well as strength of imagination. But their intrinsic excellence is underrated from their being tried by the standard which their elder brother established. "Glencoe," in particular, is a noble drama, replete with grandeur and beauty of sentiment and expression, and displaying much skill in the delineation of character.

The exuberance of imagination and sensibility, which Talfourd manifests in all his compositions, seem to indicate that his true vocation is poetry. In kindly feeling, in genial sympathy with his race, in that running over of the heart in the worship of all that is great and good in character and life, in all those qualities which mark the musing and imaginative poet, he is perhaps not excelled by any contemporary. Still, with a nature which seems so singularly fitted for the quiet pursuits of literature, his life thus far must have been somewhat practical. He is a distinguished lawyer and politician. His literary productions have been conceived and executed in the pauses of active professional business. He is one of those authors, against whom we never bring the complaint of having written too much. Indeed, we wish that he would abandon other avocations, and devote himself wholly to letters. This wish, as generally applied, we know, is nothing more than a sickening expression of mawkishness and hypocrisy; but in the case of Talfourd, it springs directly from the heart of every reader who has drawn delight and mental nourishment from his writings. We rather grudge the hours which poets of his class devote to more worldly duties. We imagine we have a moral claim upon their souls, and hardly acknowledge their right to give their powers any other direction than what seems at once to be their natu-

ral tendency, and to minister to our highest pleasures. If, however, our author should not add one line to what he has already written, his name is sure to be warmly cherished by those to whom his works have been pleasant and profitable companions, with familiar faces ever beaming with benignity and sinlessness ; whose love of moral and intellectual excellence he has kindled or elevated ; and who can pardon an occasional paradox or fallacy, when it springs from a desire to vindicate the intrinsic nobleness of the poet's vocation, and is associated with such high moral principle, and so many valuable and soul-animating truths.

ART. IV. — *Collections of the Massachusetts Historical Society*. Vol. VIII. of the Third Series. Boston : Charles C. Little and James Brown. 1843. 8vo. pp. 348.

AFTER an interval longer than usual, the Massachusetts Historical Society has made another valuable addition to its rich collections. Our attention has been drawn to the present volume, specially, by a communication contained in it from Mr. F. C. Gray, relating to the early laws of Massachusetts ; of which we shall speak more particularly, after a cursory notice of the matters which precede it.

The first article is a translation of a part of the "History of Ferdinand and Isabella" by Bernaldez ; a work never printed. The part translated is taken from a manuscript copy, belonging to Mr. Prescott, the author of the history of the same royal couple. It is confined to the account of Columbus, which derives its principal interest from the circumstance that he was a favorite guest of the author, who was curate of Los Palacios, a town of Andalusia, in Spain. Bernaldez framed his simple narrative, partly from oral communications derived from personal intercourse with Columbus, and partly from the papers which the great navigator placed in his hands.

This extract is followed by a brief narrative of Bartholomew Gosnold's voyage in 1602, and the consequent attempt to colonize New England. Gabriel Archer's "Relation,"

which appears to be a correct chronological journal, is taken from Purchas's Pilgrims. Brereton's letter to Sir W. Raleigh is printed from a transcript presented to the Massachusetts Historical Society by Mr. Aspinwall, American consul in London ; to which are appended several tracts printed from transcripts procured by Professor Sparks in London.

Gosnold was the first English navigator who made a direct voyage to this continent. He sailed from Falmouth on the 26th of March, 1602, and reached a cape on the 15th of May, near which the crew "took great store of codfish"; and it was consequently named Cape Cod. The first landing of the company was on the most westerly of a group of islands in Buzzard's Bay, which was called, in honor of the Queen, Elizabeth, a name since transferred to the whole cluster.

The description of the spot where Gosnold erected a house and fort, — namely, an islet of about one acre of ground, in a small lake or pond, on the northwesterly side of the island, is so exact as to leave no doubt of the locality. The cellar of the store-house was discovered by Dr. Belknap in 1797 ; and "in the summer of 1817," say the committee of publication of the Historical Society, "several of the members of the Society visited the Elizabeth Islands, and examined the precise spot of Gosnold's settlement. It is perfectly well defined, and is on a small islet in a pond, on an island now known by its Indian name, *Cuttyhunk*."

The company visited the main land opposite the island, which is described by Brereton as a paradise, or a place which might easily be made such ; where all the beauties of a landscape were so grouped, "as if nature would show herself above her power, artificial." But some of the company soon became discontented. There was a charm in the thought of home surpassing the delight of a garden in the wilderness. On the sixteenth day after the landing, says Archer, "began some of our company, that had before vowed to stay, to make revolt ; whereupon the planters diminishing, all was given over. On the 18th of June, Gosnold, with thirty-two men, being the whole number which accompanied him, returned to England.

In the "tracts appended to Brereton," are some curious speculations concerning the benefits which England might

derive from colonizing the country visited by Gosnold. Among these is a theory, grounded on geographical probabilities, concerning "a convenient passage and trade with the South Sea, under temperate regions, part by rivers, and some part over land in the continent of America"; with ultimate reference to trade with "China, and those passing rich countries, lying in the East parts of the world." After the lapse of nearly two centuries and a half, this speculation, founded on more geographical knowledge, is revived; and still, to most persons, probably, appears idle and visionary.

The next article is entitled "A true Relation of the most prosperous Voyage made by Captain George Weymouth, in the Discovery of the Land of Virginia, where he discovered, sixty miles up, a most excellent River, together with a most fertile Land. Written by James Rosier, a Gentleman employed in the Voyage. Londoni : Impensis Geor. Bishop. 1605."

"In the fourth volume of Purchas's *Pilgrims*," say the society's committee of publication, "is a chapter containing extracts from this work. The whole is here reprinted from a transcript procured by Professor Sparks." The river discovered by Weymouth was undoubtedly the Penobscot, which, together with the surrounding country, is described by Rosier in the most glowing language. After a month's exploration of the river and the neighbouring coast and country, and the kidnapping of five of the natives, as specimens of the race, the voyagers set sail for England. This was in the middle of June, when the earth, as well in its wild as in its cultivated state, is covered with its rich mantle of green. On the eve of departure, Rosier pours out, from the fulness of his heart, the following valedictory speech.

"For we having now, by the direction of the Omnipotent Disposer of all good intents, (far beyond the period of our hopes,) fallen with so bold a coast, found so excellent and secure harbor, for as many ships as any nation professing Christ is able to set forth to sea; discovered a river, which the all-creating God, with his most liberal hand, hath made above report notable with his foresaid blessings, bordered with a land, whose pleasant fertility bewrayeth itself to be the garden of nature, wherein she only intended to delight herself, having hitherto obscured it to any, except to a purblind generation, whose understanding it hath pleased God to darken, as they can neither discern, use, or

rightly esteem the invaluable riches in midst whereof they live, sensually content with the bark and outward rinds, as neither knowing the sweetness of the inward marrow, nor acknowledging the Deity of the Almighty ; having, I say, thus far proceeded, and having some of the inhabitant nation (of best understanding we saw amongst them), who (learning our language) may be able to give us further instruction concerning all the premised particulars, as also of their governors and government, situation of towns, and what else shall be convenient, which by no means otherwise we could by any observation of ourselves learn in a long time ; our captain now wholly intended his provision for speedy return." — pp. 152, 153.

Last of these itineraries is "A Voyage into New England begun in 1623, and ended in 1624, Performed by Christopher Levett, his Majesty's Woodward of Somersetshire, and one of the Council of New England. Printed at London by William Jones, 1628." This also is printed from a transcript procured by Professor Sparks in England. The author seems to have been born for a traveller. His buoyant spirit never sunk under the pressure of outward evils. He appears to have been a sincere Christian, as well as a merry one, and his constant forbearance and infinite good nature, secured to him the universal friendship and kind offices of the natives of the wilderness. The first place, he says, that he set his foot upon in New England, was the Isle of Shoals ; where he "neither could see one good timber tree, nor so much good ground as to make a garden." He then sailed to the Piscataqua, whence his travels were wholly eastward. He finally took up his abode, for a while, at a place "about two leagues to the east of Cape Elizabeth," which he called York. There he "built a house, and fortified it in a reasonable good fashion," but soon abandoned it.

He concludes with certain directions for those who "intend to go into New England to plant"; among which are the following :

"It is a country where none can live except he either labor himself, or be able to keep others to labor for him.

"If a man have a wife and many small children, not to come there, except for every three loiterers he have one worker ; which if he have, he may make a shift to live and not starve.

"If a man have but as many good laborers as loiterers, he shall live much better there than in any place I know.

“If all be laborers, and no children, then let him not fear, but to do more good there in seven years, than in England in twenty.” — p. 190.

We pass now from this slight notice of the doings of some of the pioneers in the work of colonization, to the provision made by the colonists for mutual protection, after they had secured a permanent abode in New England. The article in the Historical Collections pertaining to this subject, to which we have already adverted, is entitled : “Remarks on the Early Laws of Massachusetts Bay ; with the Code adopted in 1641, and called *THE BODY OF LIBERTIES*, now first printed. By F. C. Gray, LL. D.”

The circumstances attending the colonization of New England were peculiarly favorable to the establishment of a wise system of civil polity, and to the enactment of equal and wholesome laws. The first colonists of Plymouth, who were men of a like mould to those of Massachusetts who came after them, had passed through a kind of training which eminently fitted them for self-government ; such as made them feel that civil freedom, and religious freedom too, as they understood it, were every thing that was worth living for. By a favorable course of events, combined with their personal character, they were enabled to assume at once a form of government virtually independent, and they consequently bound themselves, as a civil body politic, to the faithful observance of such laws and ordinances as should be framed. In this there was great wisdom and foresight ; uniting liberty and law in close alliance, and showing that they well understood what William Penn, more than half a century afterwards, well expressed, in proclaiming his government for Pennsylvania ; namely, that “liberty without obedience is confusion, and obedience without liberty is slavery.”

The political character of the people of New England may be traced, in a great degree, through the period of their colonial history, and in their subsequent organization of their forms of government, to this beginning. The Pilgrims, as we are wont to call them, had, before embarking, extorted from James, not the assurance of unconditional toleration of their religious faith and forms of worship, but a promise that he would abstain from strict scrutiny into their ecclesiastical matters, so long as they conducted themselves quietly. It was not until they had thus gained the royal acquiescence in

conducting what was most dear to them according to their own pleasure, that they would consent to receive a patent from the company in England. Then followed the sacrifices they made in procuring a common fund, sufficient to provide very humble means for embarking for the new world.

Their fitness to become the founders of a new empire is demonstrated by such facts, and, indeed, by the whole history of their preparation for their voyage, and of the energetic measures by which all their purposes were accomplished. Their virtues, like their religion, were of the sternest cast, such as were not only favorable to republicanism, but capable of sustaining a pure democracy. Though they came out of a land whose constitution was made up of precedents, they were wise enough to frame a written civil covenant, which proved a sufficient basis for legislation and the operation of executive authority, while equality was not impaired, and all governed each. A circumstance unforeseen came in aid of the formation of this new republic. The emigrants finding that they were to be landed out of the bounds of the South Virginia company, from which they had received their patent, bethought themselves how they should use their liberty. It is said there were indications that, with some, it would degenerate into licentiousness. Hence the larger and better part saw how dangerous it might prove, should each one do what he listed; and consequently the compact was executed before the company disembarked.

All power was exercised by the people, either in their primary assemblies, or by delegating it to a governor and assistants chosen annually. The governor and assistants were clothed as well with judicial as with executive authority. A code of laws was not enacted at one time; and for several years the governor, with a single assistant, probably decided all causes according to the common laws of England, or to his own sense of right and equity. Even trial by jury of criminal cases, trespasses, and debts was not decreed by the "Court," that is, the assembly of the people, until three years after the commencement of the colony. Several years more expired before any laws were enacted, except those concerning prudential affairs; such as the prohibition of the export of lumber without the consent of the governor and council; the forbidding of "handicraftsmen to use their

science or trade for any strangers or foreigners, till such time as the necessity of the colony be served"; and the regulations respecting the divisions of lands.

The civil and ecclesiastical affairs of the colony were conducted like those of any voluntary association, forming and executing its own by-laws. Dependence on the crown was indeed acknowledged, though for the most part tacitly; since for many years nothing occurred to produce collision, and since the people were not numerous nor powerful enough to stir the jealousy of the British government, nor rich enough to excite its cupidity. A germ of independence was expanding unnoticed. Had it been perceived, it would have been nipped untimely.

In January, 1630, the company incorporated by King James in 1620, "by the name of the Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of New England in America," for certain good and sufficient reasons thereunto moving them, granted to William Bradford, his associates, and assigns, a part of New England which had been given to the corporation by the royal patent. By the same grant, the colony was authorized to make all necessary laws for its own government, not repugnant to the laws of England. Thus were the people by legal deed saved from all exposure to foreign legislation, which had not indeed been hitherto exercised, but to which they might otherwise have become subjected at a future period. Nearly two years before this grant to the Plymouth colony, the same council had sold to a few associates the territory of a part of which Massachusetts consists. Several respectable non-conformists, of considerable wealth, purchased rights of the associates, with the intention of providing a place of refuge for their silenced ministers; and they formed their plans for settlement in the new world, where they might enjoy unmolested their own system of religious worship and discipline. A few persons were sent as pioneers, under the government of John Endicott; a man, says Johnson, in his work entitled "Wonder-working Providence," who was "a fit instrument to begin this wilderness work; of courage bold, undaunted, yet sociable, and of a cheerful spirit, loving or austere, as occasion served." His commission was, to advance the plantation at Naumkeak, (Salem,) which had already been indicated as a favorable

retreat, and, in general, to manage the affairs of the associated grantees.

The company by which these movements were made, was incorporated by letters patent from Charles the First, by the name of "the Governor and Company of the Massachusetts Bay in New England," and John Endicott was appointed Governor.

Among those who proposed to emigrate, besides learned clergymen devoted to their work, were many persons of considerable property, of good education, and of habits of sober reflection; men who were too considerate, and placed too high a value on civil and religious freedom, to subject themselves unwillingly to the changes and caprices of a distant proprietary government. Accordingly, after grave deliberation and thorough debate in council, it was agreed that the government should be transferred to New England, and officers were chosen from among those who purposed to embark with their households to found the new colony.

What the people of the Plymouth colony procured by accident, namely, the undisturbed enjoyment of self-government, the sagacious men who proposed to emigrate to Massachusetts provided for with prudent foresight. Filled with the zeal and constancy of martyrs, they were the very men to found a government on the broad and firm basis of the natural inherent rights of man; to impart to those who followed them, and to transmit to their successors, that unyielding spirit of civil freedom, which was closely allied to their unwavering energy in maintaining their religious liberty. Their success in transferring the government from the English proprietors to the colony was followed by remarkable results, and gave a powerful impulse to emigration. It may be easily conceived with what different feelings emigrants would join a community in which they could choose their own rulers, and become subject to laws made by men immediately accountable to the people, from those which they would have experienced under subjection to a government three thousand miles distant.

Immediately after the government of Massachusetts was fixed on a system so consonant with the wishes of those who projected the settlement of the colony, John Winthrop was chosen governor. He arrived at Massachusetts Bay, with a fleet of twelve ships, containing fifteen hundred persons,

on the 6th of July, 1630. The first Court of Assistants was held at Charlestown, on board the *Arabella*, on the 23d day of the succeeding month. The first General Court was held in Boston, on the 19th of October. It was then and there resolved, that the freemen should choose the assistants; that the assistants should elect the governor and deputy-governor from their own number, and that they should together constitute one body for making laws and appointing officers to execute them. But, as if they had rashly surrendered a privilege that they ought to keep in their own hands, the freemen, when assembled in General Court early in the next year, voted to resume the right of election, as well of governor and deputy-governor, as of assistants.

Several planters were declared freemen at the first General Court. The whole number, however, does not appear to have exceeded one hundred, though the population amounted to two thousand, including the inhabitants of Salem. There is no evidence that the smallness of the number who were originally admitted to the rights of freemen was occasioned by any severe scrutiny in regard to their admission. The probable fact is, that many were at first unambitious of the distinction, believing that the government was in good hands, and that their rights would be well secured. In the second year, however, an exclusive principle was adopted by a decree of the General Court, which provided that none should be admitted as freemen who were not in full communion with the church. This measure debarred all who were not communicants from the privilege of voting at elections, and serving in the offices of jurors and magistrates. Such a decree, as it may well be supposed, occasioned great discontent among those who had not previously claimed their title to be received as freemen. Voluntary neglect of a privilege the value and importance of which are not immediately perceived and appreciated, is a very different thing from being precluded from its use without one's consent. The same man who, under certain circumstances, might be tempted to sell his liberty for a bare maintenance, would, at the same time, revolt against servitude enforced by physical violence.

Notwithstanding this false limitation of civil rights, the Puritans of Massachusetts were inspired with the same spirit of freedom which pervaded the mass of their brethren whom they left behind them in their native land. It was the Puri-

tans who kept alive the spark of liberty during the reign of the Stuarts. Their sacrifices in behalf of religious and civil liberty continued to be dedicated on the same altar of conscience. They were the sacrifices prompted by the spirit of man which is in him. Doubtless the freemen of Massachusetts valued their peculiar notions of religion and church government in a degree proportioned to the sacrifices they had made for obtaining the full enjoyment of them. Their whole ambition, if it may be so called, was to secure and perpetuate what they had won by their perseverance. All opposition, all diversity, or even indifference to their views of religious matters, seem to have been regarded by them as trials of their strength ; and therefore to be met with precaution, and, if need were, by resistance and even proscription, at the beginning.

Although the increase of the freemen was greatly checked by the arbitrary manner in which they were admitted to that distinction, they soon became too numerous for a legislative body. Indeed, they had intrusted the affairs of the colony, from the beginning, mainly to the governor and assistants. But in the year 1634, the several towns, some of them being more than thirty miles from Boston, deputed by common consent one or more of their most distinguished inhabitants to appear as representatives of the freemen of the General Court to be held at Newtown [Cambridge]. When convened, they passed several resolutions respecting the powers and duties of the General Court ; made choice of magistrates ; established a law for trial by jury ; determined that the freemen should meet annually for making elections of officers of the government, and sending deputies to the General Court to legislate in their behalf. Of the circumstances attending these changes in the affairs of government, we shall speak more particularly in the sequel.

The Government, which had before borne a kind of patriarchal character, now assumed so much the form of a self-constituted republic, as to rouse the jealousy of Charles the First, who commissioned the Archbishop of Canterbury and others with authority to govern the plantations, and “to make laws and constitutions concerning either their state public or the utility of individuals.” With almost inconceivable absurdity, they were empowered to provide for the support of the clergy, by requiring “tithes, oblations,

and other profits according to their discretion ; to inflict punishment on those who should violate their ordinances ; to remove governors of plantations, and to appoint others ; and to constitute tribunals, and courts of justice ecclesiastical and civil, with such authority and form as they should think proper." This mockery, however, was not to have its completion until the laws of the royal commission should be approved by the king and proclaimed in the colonies.

The tyrannical proceedings of his Majesty extended still farther. The commissioners were made a court of inquisition, with authority to take cognizance of criminal charges against a colony, its governor, or persons concerned in the management of its public affairs, and at their discretion to transport the offenders to England for punishment. Even the original charters of the colonies were subjected to capitious investigation, and the commissioners were required not only to revoke those which had been unfairly obtained, (a great stretch of discretionary power,) but also to annul such as contained provisions too liberal for the safety of the royal prerogative.

Fortunately, while Massachusetts had been waxing stronger, the power of the crown was on the wane. The instructions to the Lords Commissioners, and the authority with which they were invested, though threatening in appearance, proved impotent in the result. The magistrates of Massachusetts called the clergy of the colony together in a body, who, in answer to the question, "What ought to be done if a general governor should be sent out of England," agreed unanimously, that the Colony ought not to receive him, but to maintain their rights, if able ; "otherwise, to avoid or protract." Sir Ferdinando Gorges was appointed governor-general in 1637, but he never assumed the authority of the office. At the same time, the king forbade by proclamation the emigration of his subjects to the American Colonies, unless with special license, after having taken the oath of allegiance and conformed to the discipline of the English Church. But prelatical power was suffering a rapid decline, and the royal prohibition proved almost nugatory.

In the year last mentioned, on the plea that the Colony of Massachusetts had violated its charter, a *quo warranto* was issued, and judgment given, that the liberties of the Colony should be seized by the king. The judgment was not serv-

ed by legal process ; but the governor and company of Massachusetts were ordered by the privy council to surrender their patent. The government of the Colony, having found by past experience, that prompt compliances with royal mandates were not always expedient, and that benefit sometimes followed delay, instead of sending back their charter, directed a petition to the Commissioners, couched indeed in humble language, but manifesting a readiness to make their defence.*

The attempts of Charles to deprive Massachusetts of privileges so precious, and to establish despotic rule in New England, died out amidst the troubles which absorbed his thoughts at home. Meanwhile, the New-England colonies were extending and increasing in population. Freed for a time from royal interference, after the abortive attempts to deprive Massachusetts of her charter, they were left for a while to the undisturbed management of their own affairs. It was a fortunate season of repose from the oppressive designs of the crown, for serious apprehensions were soon afterwards entertained, by the inhabitants of Connecticut and New Haven, of hostilities from the Dutch and from their Indian neighbours. Their well-grounded fears excited the sympathy of Plymouth and Massachusetts, and on the 19th of May, 1643, Plymouth, Massachusetts, New Haven, and Connecticut formed a permanent confederacy for common succour and defence, under the name of *THE UNITED COLONIES OF NEW ENGLAND* ; a confederacy wisely conceived and wisely timed. It was a type of similar combinations which followed, and which terminated in the revolutionary government and confederacy of the United States.†

* " We dare not," said the petitioners, " question your Lordships' proceedings in requiring our patent to be sent unto you ; we only desire to open our griefs ; and if in any thing we have offended his Majesty or your Lordships, we humbly prostrate ourselves at the foot of supreme authority. We are sincerely ready to yield all due obedience to both ; we are not conscious that we have offended in any thing, as our government is according to law ; we pray that we may be heard before condemnation, and that we may be suffered to live in the wilderness " More than forty years afterwards, when the agents of the Colony in England expressed their convictions, in despatches to the General Court, that no favor could be expected from the crown unless the charter should be subjected to such modifications as should satisfy the king ; the Court resolved, that " it was better to die by the hand of others, than by their own."

† The celebration, on the 29th of May last, (allowing for the difference of old and new style,) of the two hundredth anniversary of this event, by the

There seems to have been no haste in establishing a code of laws in the Massachusetts Colony. The charter provided, that the government should be administered by a governor, a deputy-governor, and eighteen assistants chosen from the freemen ; and that four general assemblies should be held every year, including the freemen ; at one of which assemblies, the governor and other officers should be chosen. The General Assembly was also empowered to make laws and ordinances, (not contrary or repugnant to the laws of England,) for the welfare of the Colony. Though for a time there was a general acquiescence in the administration of affairs by the Governor and assistants, yet jealousy of their discretion occasionally manifested itself, and the people became impatient for a body of laws.

The first manifestation of discontent mentioned by Mr. Gray, is that of the people of Watertown, (1632,) who, being assessed in the sum of eight pounds by the Court of Assistants, were told by their Pastor and Elder, "that it was not safe to pay moneys after that sort, for fear of bringing themselves and posterity into bondage." The Court summoned the Pastor and Elder to appear, and endeavoured to persuade them that the Assistants were the representatives of the freemen. If they were not convinced, they were so far satisfied as to submit. But in consequence, probably, of this transaction, "two deputies were chosen to attend from each town at the next Court, in May of the same year, and 'advise with

Historical Society of Massachusetts, was appropriate to the character of the Society, and was conducted in a manner at once dignified and unostentatious, and becoming the institution and the occasion. The selection of the orator, too, was just what was due to him, to the Society, and to the public. John Quincy Adams, a New England man with principles corresponding to the place of his birth, who, with his accustomed eloquence, addressed the Society and the assembly, thoroughly impersonated the feelings and opinions of New-Englandmen ; and never was an orator more continuously responded to by the sympathy of his auditors. The orator, venerable for age and prolonged public services in various gradations of honorable distinction, of which he reached the highest, and still laboring for the interest and honor of the whole people, while he represents a part, without naming his father, reminded us of the union of the States in 1774, under the Federal Congress, when John Adams, some years below the middle age of man, inspired that body with ardor by his bold eloquence and fearless defence of the rights of the people, and contributed so largely to the conversion of the colonies into an independent republic. What a crowd of recollections of the eventful period of little more than two generations that have since intervened, fill the mind ! The oration of Mr. Adams before the Historical Society has since been published.

the Governor and Assistants about the raising of a public stock, so as what they should agree upon should bind all.' ”

This was a modest approach towards claiming the rights which pertained to the freemen. Two years afterwards, they chose from the eight several towns of the Colony two persons to meet and ascertain the powers of the freemen or their deputies, and “to consider of such matters as they were to take order in at the General Court.” Being satisfied after they met, that all laws should proceed from the General Court, according to the provisions of the charter, they advised with the Governor on the subject, who discouraged the interference of the freemen in such matters, because they were not only too numerous to legislate in a body, but they could not select a sufficient number of deputies who were competent to such matters, or whose time could be spared by the company. He accordingly suggested, that a certain number should be chosen annually, by order of the General Court, to revise the laws, and to refer all grievances to the Court of Assistants ; and that no assessment or disposition of lands should be valid without their consent.

This deputation seems to have been a movement preliminary to that of assuming the power claimed by the freemen ; for each of the towns was represented by three deputies at the General Court in May, and the question of the rights and duties of that body was promptly met by a declaratory act, that the General Court had the exclusive authority to make laws, to appoint and remove officers, to raise money and taxes, and dispose of lands. To place the representative system on a firm basis, it was further ordered, that the freemen of each town might hereafter choose two or three deputies to the General Court, clothed with all the power belonging to their electors, excepting that of the choice of magistrates and other officers. Thus adverse was the opinion of the freemen to that of the Governor, in regard to their competency for legislation. The issue on this point was final. But still another question came up, which occasioned a temporary embarrassment.

The representatives of the towns assembled in the same apartment with the Governor and Assistants, and the deliberations of the General Court were there held in common. In their enactments and in their decisions upon various meas-

ures, there does not appear to have been a uniform mode of procedure. At a General Court held the year after the freemen intrusted their power to deputies (1635), in acting on the application of Mr. Hooker and others of Newtown [Cambridge] for leave to remove to Connecticut, a majority of the representatives were in favor of granting the request ; but the Assistants dissented. The representatives claimed, as the more numerous body, the right to decide the question, since those in favor of the removal formed a majority of the General Court collectively. The business came to a stand. A day of humiliation and prayer was observed, the opinion of the clergy was sought, and, in conformity to it, the representatives yielded to the Assistants. Afterwards, it may be supposed, that, though the Governor and Assistants claimed a negative on the proceedings of the representatives, there was not uniformly a separate action on the laws and ordinances that were passed.

The inconvenience of two bodies meeting together, while, it appears, they felt authorized to act separately, must often have been experienced ; but it was endured for ten years. At the meeting of the General Court in 1644, at the instance of the representatives, it was ordered, that the two bodies should sit in different rooms, and that the several acts of each should be sent to the other for concurrence. In their judicial proceedings, as a supreme court of appeal, if the two branches differed, the vote was to be taken jointly.

From the time that the organization of the government was changed by the choice of deputies to the General Court, instead of the attendance of such freemen as before appeared of their own accord, there was a constantly increasing impatience on the part of the people for the establishment of a body of laws. Their dissatisfaction with the existing state of things was grounded on the danger of giving so much discretion as was necessary to the magistrates, to be exercised with imperfect limitations by specific statutes. In proportion as the magistrates showed either indifference or reluctance in regard to the gratification of the wishes of the freemen, the people became importunate. The slow gradations by which the end so long contended for was accomplished, form a curious portion of the colonial history. We have room only for a very condensed account, drawn from Mr. Gray's extracts from the Colony records, and from Governor Winthrop's Journal.

In 1635, it was agreed in General Court, that persons should be appointed "to frame a body of grounds of laws, which, being allowed by some of the ministers and the General Court, should be received for fundamental laws." But nothing appears to have been done by the magistrates to whom the business was committed. In May, 1636, a large number, including three clergymen, was chosen for the same purpose, and "entreated to make a draught of laws agreeable to the word of God." Such instruction seemed to give the clergymen a prominence in the commission, and Mr. Cotton, being placed foremost in the work, at the session of the Court in the following September, "presented a copy of Moses his Judicials, compiled in exact method," which was referred to the next General Court. Like the similar process of the same body at the present day, this appears to have been adopted as a gentle method of putting to sleep what the legislature did not like to meddle with ; for it was not until a year and a half after Cotton's copy of "Moses his Judicials" was presented, that the subject was revived. The goal was kept in view, but a new starting-place was chosen, and those were placed foremost in the race, who were most zealous to obtain the prize. It was ordered by the Court, in March, 1638, that the freemen of every town, or such of their number as should be deputed for the purpose, should assemble and "collect the heads of such necessary and fundamental laws as may be suitable to the times and places where God in his providence hath cast us," and deliver them to the Governor before the fifth day of June, for the use of the magistrates and clergymen composing the committee for preparing a code of laws to be reported to the General Court the following autumn.

There is no evidence that the freemen, impatient and importunate as they were, gave any heed to the order of the General Court. They had become faithless, it may be, in the disposition of the magistrates and clergy to comply with their wishes ; and not without reason ; for Governor Winthrop, in his Journal (1639), implies, by a cool negation, that they were reluctant to proceed in the work. "Most of the magistrates and some of the elders were not forward in the matter." He gives his reasons for this, in which there is no want of carnal wisdom mingled with nice, sententious casuistry. One of the reasons, he says, "was want of suffi-

cient experience of the nature and disposition of the people, considered with the condition of the country and other circumstances, which made them conceive that such laws would be fittest for us which should arise, *pro re natâ*, upon occasions, &c., and so the laws of England and other States grew, and therefore the fundamental laws of England are called customs, *consuetudines*. 2. For that it would professedly transgress the limits of our charter, which provide we shall make no laws repugnant to the laws of England, and that we were assured we must do. But to raise up laws by practice and custom had been no transgression ; as in our church discipline, and in matters of marriage, to make a law that marriage shall not be solemnized by ministers, is repugnant to the laws of England ; but to bring it to a custom by practice for the magistrates to perform it, is no law made repugnant, &c.”

At length, in 1639, “the two models,” namely, “Moses his Judicials,” which had been drawn up by Cotton, who was on the committee of 1636, and a body of laws written and arranged by Nathaniel Ward, of the committee of 1638, were, with some modifications, sent to the towns by the committee, “to be considered first by the magistrates and elders, and then to be published by the constables to all the people,” that any suggestions might be made concerning them to the deputies to be sent to the next General Court. This looked something like progress in the work ; but when the Court met in November, instead of acting directly on the reports, a committee was appointed, still larger than any preceding, and composed wholly of laymen, with directions to “peruse all those models which have been or shall be further presented to this Court or themselves concerning a form of government and laws to be established, and draw them in one body, altering, adding, or omitting what they shall think fit, and take order that the same shall be copied out and sent to the several towns, that the elders of the churches and freemen may consider of them against the next General Court.”

Enough of caution had certainly been manifested ; but as if patience were not yet exhausted, the General Court “in the third month [May], 1640,” ordered, that, “Whereas a Breviate of Laws was formerly sent forth to be considered by the elders of the churches and other people of this Com-

monwealth, it is now desired, that they will endeavour to ripen their thoughts and counsels about the same by the General Court, in the next, 8th, month."

Never were plans for delay more skilfully conducted. The magistrates knew that the people were impatient, and they knew also how to allay any feverish excitement by administering timely emollients. Their constant appeals to the wishes of the freemen, and calls upon them for counsel, were a flattering unction, which, when the freemen applied it to themselves, could not fail to mitigate their restlessness, even if they were a little suspicious of the design with which it was offered.

At the session of the General Court in October, 1641, Mr. Ward was applied to for a copy of the Liberties and the capital Laws, and it was ordered that nineteen copies should be transcribed. It is remarkable, that the Colony records for the remainder of this year, which was so important an era in the civil affairs of the Colony, are lost. But we learn from "Winthrop's Journal," that the session of the Court in December continued three weeks, and that "one hundred Laws, which were called 'The Body of Liberties,' were established." They had been composed by Mr. Nathaniel Ward, the author of "The Cobler of Agawam"; (sometime pastor of the church of Ipswich, he had been a minister in England, and formerly a student and practiser in the courts of the common law;) "and had been revised and altered by the Court, and sent forth into every town to be further considered of, and now again in this Court they were revised, amended, and presented, and so established for three years; by that experience to have them fully amended, and established to be perpetual."

This code was the basis of the statute laws of the Colony. In the third year after its adoption, measures were taken for a revision of "The Body of Liberties." But as the birth of this body was long anxiously waited for, so in its growth and progress to maturity it was destined equally to disappoint expectation. It was not until 1648, that the laws were so amended, enlarged, and arranged, as to be committed to the press; and ten years afterwards provision was made for a new digest, which, having been prepared, was printed, and copies were distributed among the towns in proportion to their taxes.

It is among the strange caprices of historical tradition, that so little knowledge concerning "The Body of Liberties" established in 1641 should have been transmitted to us ; that a matter, which agitated the whole Colony of Massachusetts for several preceding years, should afterwards have been surrounded with clouds and darkness for two centuries. Hutchinson, and those who have since spoken of the laws adopted in 1641, have left the matter involved in the mists of error, now ascribing the code to Cotton, and again to Ward, and contending in the dark about a shadow. This shadow was the "Abstract," prepared by Cotton in 1636, afterwards presented to the General Court, treated respectfully, remaining nominally *sub judice* until 1641, when it vanished, and "The Body of Liberties," composed by Nathaniel Ward, was adopted.

The "Abstract" of Cotton was first printed in London in 1641, and this impression was entitled "An abstract of the Laws of New England as they are now established." It was reprinted in the fifth volume of "The Collections of the Historical Society." We have recurred to it, and find that it has no resemblance to a body of laws and liberties enacted by a legislative assembly. It contains rather moral and pious suggestions, intended to produce a healthful condition of the social state, than specific laws which man's wisdom devises for the protection of the people in their rights as citizens of a commonwealth.

Mr. Gray has dispelled at once the darkness which hung over this subject. He began his researches with the conviction *a priori* that the "Abstract was not the code established in 1641." We subjoin the following extract, containing an interesting account of his discovery of a copy of the "Liberties," and his conclusive reasoning upon facts, showing that it contains the code established in the year above mentioned.

"It so chanced, that one day, more than twenty years ago, I took up from a corner in the old Athenæum, a folio volume containing the Colony Laws, as published in 1672 ; an edition not of any great rarity. But bound up with it was a manuscript of about sixty pages in the handwriting of that day, which is not easily read. This volume appeared to have belonged to Elisha Hutchinson, who was the grandfather of Governor Hutchinson, and who died in 1717, at the age of seventy-seven. On examining the manuscript

carefully, I found it to contain a copy of the Colonial Charter of 1629, with ten other valuable documents relating to our early history, one of which was 'A Coppie of the Liberties of the Massachusetts Colony in New England.'

"Its genuineness was soon placed beyond question. All the documents accompanying it are undoubtedly genuine, and may now be found printed, with one exception, at full length, in our collections of public documents. It is divided into one hundred distinct articles, separated from each other by strong black lines; and although the introductory and concluding paragraphs are not numbered as laws, so that the highest number is ninety-eight, whereas Winthrop says *The Body of Liberties* contained a hundred laws, yet this is but an instance of that substantial agreement with circumstantial variation, which is one of the strongest evidences of truth. On comparing these numbers with the citations from the *Liberties* made in support of the fundamental laws by the General Court in 1646, it was found that they agreed, and that the articles in this manuscript are numbered in the same manner as the official copy then used by them. These *Liberties* too are, almost without exception, incorporated, and often in the same words, into the printed *Laws of the Colony*, which are entitled '*Laws and Liberties.*' Three complete editions of these were published by authority, namely, in 1649, in 1660, and in 1672. In these, the laws were not inserted in the order of their dates, as in modern times; but all existing provisions of law were consolidated, and classed under appropriate titles arranged in alphabetical order. So that the complete codification of the Statute Law is no new thing under the sun, but was practised by the Colonists of Massachusetts from the beginning. In this manuscript, we find in the margin, opposite most of the *Liberties*, the number of a page and sometimes of a section. These are references to the page and section of the edition of 1672, where the same provision may be found.

"This then is, beyond all doubt, '*The Body of Liberties*' composed by Nathaniel Ward of Ipswich, author of the *Simple Cobbler of Agawam*, and adopted by the Colony of Massachusetts in 1641; the first Code of Laws established in New England." — pp. 195, 196.

We should be pleased, if we had not extended our remarks to so great a length, to cite some examples produced by Mr. Gray, in which he compares the "*Liberties*" with the "*Abstract.*" But it is sufficient to remark, that he has vindicated the characters of the fathers of New England from the reproaches cast upon them, of weakness and illiberality in

their legislative acts, by making them speak for themselves in the very letter, after a silence of two centuries.

The volume of the Collections closes with "Gleanings for New England History," by James Savage, LL. D. These gleanings consist of what was gathered by Mr. Savage last summer, during a visit to England, in "searching for materials to illustrate our early Annals." First of these is the will of Isaac Johnson, husband of the lady Arabella, in which John Hampden, John Winthrop, and Thomas Dudley are appointed executors, and a bequest is made to the Governor and company of Massachusetts for the benefit of their plantations.

The records of Cambridge and Oxford Universities were examined by Mr. Savage, (the latter for only two days,) for the names of distinguished men who were graduated there, and who emigrated hither in the early days of the Colony. In this examination, and also in that made at the "Augmentation Office," for the names of persons permitted to embark for the American colonies in 1634-5, he had good success. It appears from the record of emigrants, whose departure was then subject to the control of the Commissioners of Plantations, at the head of which was the archbishop of Canterbury, how unavailing was the paltry attempt to prevent the emigration of puritan ministers, who, as we know, secured their passages, but, as it appears, were not entered on the lists.

Mr. Savage has taken a few gleanings from manuscripts in the British Museum, and copied the titles of some of the rare tracts having a local interest for New-Englandmen. "A mine of unexhausted information about our country," he says, "is contained in the volumes, printed and manuscript, at the British Museum, and in the exploration of the latter my little success should not discourage more hardy or patient adventurers." Doubtless some laborious and skilful miner, like our author, will put his hands to the work and meet with gems, which, if they shall not enrich himself, will add much to the common treasury of the republic of letters.

Lastly, Mr. Savage has given extracts from records pertaining to the families and family alliances of our early settlers, obtained from parish registers, and also "gatherings at her Majesty's State Paper Office from Vol. 11, of papers relating to trade and plantations."

We take leave of this volume of the "Collections of the Massachusetts Historical Society," with gratitude for the new contribution of materials for our annals, and with raised expectations of the increasing utility of the institution.

ART. V. — *Histoire de L'Art Moderne en Allemagne* ; par le Compté ATHANASE RACZYNSKI. 4to. Tome Second ; pp. 677 : Tome Troisième ; pp. 582.

IN a former number of this Journal, we called our readers' attention to the splendid work of Raczynski on German art. We confined ourselves in that paper to the materials furnished by the first and part of the second volume, and to the discussion of a few topics connected with art, having an incidental relation to the work we were reviewing. Following out the plan which we intended at first to have completed in a single article, we shall, in the present paper, give a brief and plain account of the copious and interesting contents of the remainder of the work.

We perceive by the recent journals and newspapers, both from England and the Continent of Europe, that the arts in Germany are advancing with unabated activity. The king of Bavaria has lately "inaugurated" the *Walhalla* with imposing pomp and ceremony. The extraordinary phenomena of new and original schools of art springing up in Germany, founded on principles of the widest application, and supported by the most elaborate studies and the most wonderful learning, have drawn the attention of England, and seem likely to exercise no little influence on the future cultivation of the Fine Arts in that country. Cornelius, the greatest name in one department at least of German art, has been summoned to England to lend the aid of his genius and experience to the formation of a plan for adorning the new Parliament House with national works of art in a style that shall do honor to the genius and munificent spirit of the country. The details of this great artist's views and opinions have been given in the London journals, and are full of interest and instruction, like every thing that comes from this illustrious man. The fact itself is one of

the significant signs of the times, and speaks strongly of the enlarged and enlarging relations of kindness and intellectual intercourse between the nations of the present day. The friendly interchange of opinions on art and letters, the genial appreciation of each other's works of poetry and art, the wide diffusion of knowledge in every department of human thought, the kindly intercourse between the men of science and the professors of elegant literature in those great annual assemblies to which the spirit of the present age has given birth, are working together for the highest and most philanthropic aims—peace on earth and good-will to man. Every effort, humble as it may be, to make the minds of different nations better known to each other, or to awaken an interest in one for the products of another's genius, skill, or learning, is so much added to the great stock of the happiness of man. It is, therefore, with a heartfelt conviction that the author on whom we are at present engaged, aimed at and has accomplished something higher and better than the attainment of literary fame, or the reputation of being an intelligent, elegant, and accomplished critic of art, that we award him our praise and admiration. He has produced a work that will not only connect his own name for ever with all that is brightest and best in the genius of his country, but will hold up to other nations great examples of genius successfully laboring to realize its sublime conceptions, of princely and public taste appreciating them, and of regal munificence bestowing on them their due reward. With these preliminary remarks, we proceed to our pleasant task.

In our former paper, we said a few words on the famous poem of the Nibelungen, and its influence upon the development of modern German art. Our comments on this part of the subject would remain imperfect without a more extended notice of another source, from which the artists have drawn many poetical subjects,—the works of Walther von der Vogelweide and of Wolfram von Eschenbach. The former name is especially connected with the Bavarian school of art from the fact that Gassen, who was commissioned to paint in fresco the queen's first antechamber, was required to take his scenes from the life and poems of this ancient minnesinger, who flourished in the times of Frederic the Second, of the Hohenstaufen line. The most remarkable group in these frescoes represents Walther, at

Wartburg, surrounded by celebrated poets, his rivals for the minnesinger's prize. A work is still preserved, called the Wartburg war, consisting of the alternate songs of the bards who took part in this poetical joust. Tradition places the date of this tuneful tourney in the year 1206, the most brilliant epoch of ancient German poetry, not only for the illustrious names that have been handed down to our day, but for the impulse given to the ancient national and heroic poetry by unknown minstrels. Herman, landgrave of Thuringia, had gathered round his court many of the most famous minnesingers, who had celebrated in lays and ballads the warlike deeds of his martial house. Heinrich von Ofterdingen appears as the champion of the Austrian prince, throws down the gauntlet to all the poets, and offers to maintain the virtues of his hero against all the singing tribe, under penalty of being hanged in case of defeat. Walther, as court poet of the Thuringian prince, accepts the challenge, and enters the lists against Heinrich von Ofterdingen. Walther regrets that he is obliged to declare against the Duke of Austria and his brave cavaliers ; then he praises the king of France, Philip Augustus, in whose reign the poetry of the north of France rivalled the glory of the Provençale muse, as the poet could testify from his own knowledge, for he had crossed the Rhine and visited the banks of the Seine. But in the course of the contest he partially recants, and sets the gracious duke above the monarch, calling him the sun ; but the landgrave he compares to the brightness that precedes the sun. Ofterdingen complains of Walther, accuses him of playing an unfair game, and resorts to Klinsor of Hungary, to sustain the supremacy of Austria. The other champions call for Stempfel of Eisenach, who stands ready with the halter ; but Ofterdingen is protected by the landgravine, who intercedes in his defence.

In the second part of the picture, Klinsor has arrived, and accepts the contest waged by Wolfram von Eschenbach. In this poetic duel, Walther takes no part, except to give in his adhesion to Eschenbach. In Gassen's picture on the ceiling, Walther appears in the attitude of conqueror, crowned with laurels, in the presence of the landgrave and landgravine, while Ofterdingen puts himself under the protection of the magician Klinsor. On the right hand, sit the judges of the field ; on the left, stands the executioner with

the halter in his hand ; and the ground of the picture is occupied by the courtiers.

This landgrave Herman, of whom there exists a contemporary portrait in a missal at Stuttgard, was not only a friend of letters and poetry, but also a personage of considerable historic importance. He exercised no little political influence among the dynasties of his time, and, like old Warwick in English history, gained a part of his fame by making and unmaking kings. His generosity is celebrated in lofty phrase by Walther and Eschenbach. The place where this scene was enacted is the great hall of the Wartburg castle,—a hall that still exists, and is shown as a monument of the joust. In another picture, Walther appears in the retinue of King Philip and his Queen Irene, whom he paints in brilliant colors in his poems. The literary tourney spoken of above was not the only adventure in which the poet was engaged. After the assassination of Philip, he entered the service of Otho, who had just been elected emperor, and was crowned at Rome in 1209, but was excommunicated the following year. Walther maintained the emperor's cause with ardor, but deserted him at last, when his hopes had been disappointed, and embraced the side of Frederic the Second, of the Hohenstaufen, whom the pope protected. It seems the poet received substantial marks of favor from his master's hand, in the shape of lands and titles and armorial bearings. In the picture, the Empress Constance appears at the investiture of the fief, holding in her hand the laurel crown destined to adorn the poet's brows, though no such incident is found in history or tradition. In another picture, the poet is represented as bewailing the bloody quarrels between the spiritual and temporal powers, accompanied by awful signs in the sky. These quarrels began with the excommunication of Otho, and ended only with the deposition of Frederic the Second, and the annihilation of the Hohenstaufen family ; an event which Walther did not live to witness. The apparent cause of these conflicts was the promise made by Frederic to undertake a crusade immediately upon his elevation ; a promise he was unable to keep on account of domestic wars. The heart of Walther was divided between two great desires ; the reëstablishment of the universal dominion of the German-Roman empire, and the power and majesty of his temporal chief. Since 1187, the Holy Sepulchre had been in the hands of the infidels, and Walther

many times entreated the emperor to undertake the crusade he had promised at his coronation. Pressed by the importunities of Walther, the emperor finally resolved, in spite of many unfavorable circumstances, to embark at Otranto ; but falling sick, he was compelled to return, and encounter a new excommunication from the pope. Walther censures the bulls fulminated from the Vatican. The crusade, however, on which Walther's heart is set, at length comes to pass ; this is indicated by two pictures in the hall, where the singer is represented in the costume of a knight, kneeling in sight of the Holy City, and absorbed in meditation.

From this time forth, the poet's " life seemed to him rich and noble, because his sinful eyes have seen the Holy Land." The Emperor Frederic, on his last great crusade, made a triumphal entry into Jerusalem, at the head of his faithful Germans, on the 27th of March, 1229 ; the following Sunday he appeared in the church of the Holy Sepulchre, and taking the crown from the altar, placed it upon his own head. During this ceremony, the Germans sang a chant, and the grand-master of the Teutonic order pronounced a discourse in German. Walther was probably present at this spectacle, and saw the desire of his soul fulfilled, — the chief of the German empire and of the Christian world crowned with glory on the most sacred spot of the earth.

No later events are mentioned in the poems of Walther, and the swan of ancient Germany appears to have died a short time after. His voice had resounded, as he says himself, more than forty years. Our author says ;

" The picture in the middle of the second wall shows us the figure of the poet reclining on the tomb. About it are flying little birds, which the children of the choir are feeding. This picture, executed by a modern artist with great simplicity, is the most pleasing of all. The idea is taken from an old tradition. Walther, according to all the testimonies, died at Wurtzburg ; his tomb was found in the court of the new Minster, surrounded by the luxuriant vegetation. A tree with heavy branches bent over the tombstone, and in its foliage were sporting thousands of little birds, drawn thither by the water and the food which, according to the last will of Walther, were daily placed upon his tomb. At a later period, this bird's food — *Vogelweide* — was altered by the monks into small loaves for themselves, on the anniversary of the poet's birth. An epitaph in Latin verse explains this pious legacy." — Vol. II. p. 73.

Walther's portrait, copied from an ancient manuscript, represents him, sitting alone, surrounded with the gifts of May, and with the little forest birds flying about him. It is said to be one of the most beautiful pictures in the hall, and the present work gives us a wood cut of it, from which a tolerable idea of its effect may be formed.

Walther seems to have adopted all the habits and manners of the wandering minstrels of the times. He travelled from court to court, generally received with honor, tarrying with the German princes who protected the arts of poetry and music, and sometimes at foreign courts, and was everywhere welcomed into select society. He made no scruple to accept pensions and entertainments for his services. "It is true," says our author, "that knights possessing fiefs received presents of dresses, armor, and horses, and a great number of knights-errant as well as bards and troubadours resorted to the tournaments for this kind of alms; but the latter accepted whatever was offered them, particularly second-hand clothes. Walther boasts of never having taken any such present. He sings his ballads, accompanying himself with the violin. He played this instrument also to enliven the dance, in imitation of the Dukes of Austria, Leopold and Frederic, who sung and managed the ball themselves." The proud and chivalrous baron and fiddler, Volker of the Nibelungen-lied, did the same at the nuptials of Chrimhilde.

But Walther sang not for princes alone. Love formed the theme of many a gentle ditty chanted by the bard, until late in life. He sings of the fair one's cruelty, by whose side he becomes like a feeble child; even a refusal, accompanied by her angelic smile, makes him happy. He paints her beauties with brilliant colors, and prefers the sight of her cheeks, clothed with the peach's downy hue, to the contemplation of the empyrean and the celestial car; her praise of his poetry puts him in an ecstasy; and she it is, who inspires him to say, that "he who possesses the love of a noble woman, holds all vice in scorn." Thus had love exalted the soul of Walther.

Walther's residence at the courts of princes, his superior genius, the dignity of his poetry, the cutting satire which he knew how to use with great effect, and his vehement patriotism gave him a powerful influence. His poems were

the favorites of the emperor and the princes. His chief desire is the honor and repose of his country and of Christianity. The disunion of the temporal and spiritual powers, and the universal degeneracy of all classes and all ages, are the cause of his sorrows, and the theme of his perpetual complaints. He venerates the pope as the spiritual head of the Christian religion ; but he disapproves of the abuse of papal power. Among the vices of the Germans, the one which meets his severest reprehension is that of immoderate drinking.

When old age approaches, Walther piously fixes his thoughts upon the region beyond the grave. "In this valley of tears, every joy departs, like the fleeting tints of the flowers, and dries up like the grass of the field." And therefore he lifts his looks towards eternal felicity. His poems assume a graver character, and the gloomy feelings and dark anticipations, common to old men, often find utterance in them. He was deeply versed in the history of the saints ; he had travelled much, and the old heroic spirit of Germany breathes with manly vigor in his patriotic songs. For Walther was a true poet ; his voice was heard with respect and admiration, and he stood among the foremost men of his age.

Wolfram von Eschenbach, the next famous name in early German poetry, is more renowned for long narrative poems than for amorous ditties. Besides his traditional fame, as one of the champions in the poetic tourney at Wartburg, his poems of *Parcival*, *Titarel*, and *William and Kiburg*, have given him a lofty place among the German bards. The poem of *Parcival* treats of the *Saint-Gréal*, a relic in the form of a vase, made of a single emerald, and containing the holy sacrament, or, according to other traditions, the blood of the Saviour, collected by Joseph of Arimathea, and intrusted to the care of angels, who had long held it suspended in the air, beyond the sight of mortals. *Titarel* built a temple, according to a design traced by the hand of God, which contained the consecrated vase, and became the abode of a monastic and chivalrous order, who took the name of *Templars*. These persons were charged with the duty of watching over the relic, guarding the edifice, and protecting the kingdom. The king of *Saint-Gréal* was at the same time the ecclesiastical chief. The election of the king was determined by the will of God, the name of the chosen monarch

being written miraculously on the vase itself. Parcival, one of the knights of the Round Table, owed his elevation to a similar intimation of the divine will.

When sin had made great progress in the West, the Saint-Gréal was ordered by the Almighty to be transferred to the East. Parcival was at this time king of Saint-Gréal. The vase, the temple, the kingdom, and the order of defenders were all transported, in a single day, to India. A Christian tribe, who had preserved their religion in its primeval purity, lived there, surrounded by Pagans, under the government of the renowned but mysterious Prester John. This treasure, according to the ancient traditions, had been in the possession of Titurel before Parcival, although the poem which bears his name was composed at a later period.

Another epic poem of Eschenbach is on the subject of William and Kiburg; the latter was the wife of William of Orange, whose sister had married Louis le Debonnaire, the son of Charlemagne. These poems, as Eschenbach left them, did not form a complete whole, but were afterwards arranged and completed by other poets. Many ancient and noble families bore the name of Eschenbach, but the arms of the bard show that he belonged to a Franconian house of the Nordgau, which derived its name from the small village of Eschenbach. Wolfram belongs especially to Bavaria, because the Nordgau formed at that time, as it does at present, a part of that sovereignty; and as his poems are among the most important and distinguished in ancient German literature, he holds a prominent place in the productions of German art that adorn the residence of the Bavarian monarch. Eschenbach was received into the ranks of chivalry, as he takes good care to inform us; and it was in the character and quality of knight that he appeared at the poetic combat of the Wartburg. Like most cavaliers of the age, it is stated that Eschenbach could neither read nor write. A local tradition informs us, that he was visited in the chamber he occupied at Eisenach, in the house of one Gottschalk, by the familiar spirit of Klinsor the magician, who had arrived at Eisenach through the air, and taken lodgings with a warm citizen named *Hellegrave*, or Count of Hell. This malicious demon wrote on the wall of Eschenbach's chamber words signifying that the poet was no better than a *layman*, which meant, in those days, an ignoramus. The host of

Eschenbach, in his zeal for the reputation of his guest, caused the stone on which the inscription was written to be taken out of the wall and thrown into the neighbouring stream of the Hörsel ; but the room is still called the dark chamber. "One is involuntarily led," says our author, "to draw a comparison between these wonders, and the victory gained three centuries later by Luther at the Wartburg, the proof of which is still found on the walls of his chamber ; I mean the famous ink-spot which Luther made on the wall, when he threw his inkstand at the head of the Devil, who had appeared to him in person. Three centuries afterwards, this place became the theatre of a *Sabbat*, the memory of which is not yet very ancient, and which also might well have been raised by the devil." *

In consequence of the defect above mentioned in Eschenbach's education — a serious one, it must be confessed, for a poet — he was compelled to employ a reader, when he had occasion to make use of books, and to dictate to an amanuensis, whenever he composed. His poems generally were imitations of the Romance or Provençal literature, in which the spirit of chivalry was first breathed into verse. These poems sometimes took the form of a monologue, and sometimes that of a conversation with his characters, one of whom, a special favorite of the poet, was Dame Adventure.

As a poet, Wolfram betrays more of his own individual character than is common in the poets of an early age. Many significant allusions occur in his works to his amours, successful or unfortunate. He blames those who attempt to sing of love without having felt its ardors. In "*Parcival*," he complains at times of the mischievous god, and launches his reproaches against some hard-hearted fair one who had refused to listen to his wooings. His minor poems, however, breathe a satisfied spirit, and hint strongly, that all the dames to whom his courtesies were offered did not turn a deaf ear to his prayers. In the poem of "*Parcival*," however, he shows more of the inspiration of chivalry and devotion than of love. He describes the untaught and simple youth of his hero, his chaste love, his innocence, his fidelity, and his trust in God. The practice of these virtues exposes him to great misfor-

* Alluding to the celebrated Wartburg festival, held by the German students in 1817, in commemoration of the battle of Leipsic.

tunes, but also prepares him for the highest dignity, that of being king of the Saint-Gréal in the paradisaical country of the early Christians.

The poem of "William and Kiburg" bears a strong resemblance to the ancient *épopée*. The style is pure, vigorous, and concise, and the tone of the poem has less of the romantic exaltation and enthusiasm than was common at the time. The descriptions of battles are minute and faithful, and show the ready skill of one who has seen, and perhaps taken part in, actions similar to those he delineates. The love and constancy of William and Kiburg are fully and characteristically represented; and her heroic defence of the castle, during her husband's absence, is told with epic animation.

But of all his poems, that of "Titirel" contributed the most to his renown, as is proved by the numerous copies of it that were made during a series of ages. Many other productions of note, in the early periods of the German language, have been attributed to him, just as a great number of epic compositions by nameless bards among the early Greeks were popularly assigned to the mighty name of Homer.

Such is a slight sketch of some of the early German poems from which the artists have drawn their inspiration and their subjects. It is necessary to have at least a general understanding of these curious remains of the manly genius displayed by the ancient Germans,—and in this remark we mean to include the *Nibelungen-lied*, which we characterized rapidly in our former paper,—in order to understand the spirit of the recent schools of art; just as it is necessary to study Homer, if we desire properly to appreciate the sculptures still surviving from the great masters of antiquity.

The Walhalla, of which we formerly spoke, has since been consecrated, as before mentioned, with great pomp and ceremony by the Bavarian king. The details of this interesting and significant occasion have been repeatedly given in the public prints; but the best account is contained in a letter written by Mr. Wheaton, the American minister at the Court of Berlin, addressed to the Secretary of the National Institute at Washington, and dated January 25, 1843. This letter was published in the "*National Intelligencer*," and copied into many other newspapers throughout the United States. Mr. Wheaton gives a history of the origin and build-

ing of this magnificent structure, its dedication, and then a most interesting sketch of its plan and purpose, together with a description of the great works of art which have already been accumulated there. Mr. Wheaton is entitled to great praise for the enlightened judgment with which he devotes the leisure hours from his diplomatic duties to the subjects of literature and art. The journals of the United States have been frequently enriched by contributions from his pen, displaying great research, learning, industry, and refined taste.

We have already spoken at some length of Cornelius, the great master of the Munich school of painters, and we proceed now to give some account of another, scarcely less distinguished for his natural genius, though not yet arrived at the maturity of his fame, William Kaulbach. This artist was born about the beginning of the present century, at Arolsen, in the principality of Waldeck. His father was a passionate lover of art, and a companion and friend of the sculptor Rauch. He acquired great skill as an engraver; but the restlessness of his disposition led him into a variety of attempts that injured his success in life. Another son, besides William, is devoted to art, and has somewhat distinguished himself in sculpture at Munich. The impression made upon the mind of William Kaulbach by his father's pictures was deep and lasting, though they are said to have but little merit. It was the father's most earnest desire to see his son a distinguished artist; and to gratify the parental wishes, more than from any innate disposition of his own, William consented to enter upon a career which his father's ill success rendered formidable in his eyes. Kaulbach studied art at Dusseldorf, in the midst of difficulties of every description. His first attempts in painting were church pieces, for which he was miserably paid. One of these, a Madonna of the size of life, with the infant Jesus and two angels, brought him only forty crowns.

"He received another order," says our author, "and the circumstances by which it was accompanied show still more strikingly the state of destitution to which he was reduced. He was employed to paint the walls of a church connected with a madhouse near Dusseldorf; and the pay agreed upon consisted of small rolls of bread and cheese, doled out daily in quantities just sufficient to keep him from starving. The sight of these unfortunate beings, in the midst of whom he passed so much

time, made upon him a profound impression ; and this recollection haunted him fifteen years, until he had completed that fine composition 'The Madhouse.' His imagination could not rid itself of them, until he had united them in a design, and had fixed them, so to speak, elsewhere." — Vol. II. p. 246.

He afterwards improved his circumstances by giving lessons to persons of distinction in Dusseldorf, but soon relinquished this employment to follow his master Cornelius to Munich.

The strong original genius of Kaulbach made it impossible for him to work out the conceptions of another ; and his attempts to paint after the cartoons of Cornelius were unsuccessful. The first important works which were intrusted to him at Munich, were a fresco on the ceiling of the Odeum, representing Apollo surrounded by the Muses ; in the Arcades, allegorical figures representing the four rivers, Bavaria, and cartoons for other allegorical figures, which were executed by different artists ; and in the palace of Prince Maximilian, the sixteen subjects, drawn from the fable of Cupid and Psyche, which adorn the grand hall. At a later period, he was intrusted by the king with the first attempts in encaustic, which have been made at Munich. The subjects of these pictures, twelve in number, are taken from Klopstock's poem on the Battle of Hermann. The narrow spaces and the architectural forms, which limited his work, did not admit a large composition representing historical facts. One panel is painted with two warriors on horseback, going to battle ; another with pagan priests offering sacrifices ; a little distance further on, are women who have just taken leave of their friends. On another wall are exhibited, in like manner, the beginning and the end of the battle. The middle picture represents the chief of the Herusci triumphing over Varus. — The return of the warriors, their reception by the women, the bards celebrating the victory, and three subjects relating to the tragical end of Hermann, complete the twelve pictures. Four small fresco paintings of the ceiling, also represent subjects taken from Klopstock. To this period belongs the great picture of "The Madhouse," one of Kaulbach's most remarkable works, whether its merits, or the peculiar circumstances from which it took its origin, be considered. These circumstances have already been mentioned. A very good account of it has

been published in a little pamphlet by Guido Görres, the son of the professor, whose political writings produced great sensation in Germany some years ago. About this time, Kaulbach produced a series of designs, taken from a work of Schiller's, the *Malefactor led into crime by disgrace*. His subsequent works are the pictures in the royal palace, in the hall devoted to the poems of Goethe, and the battle of the Huns in the air. The latter, which is considered by Raczynski as the most important of the artist's works, is represented in a fine engraving among those accompanying the book. This subject Kaulbach has executed, but not in colors, in a large picture twenty-one feet by seventeen, the figures below being of the natural size. This picture is pronounced by Raczynski to be above all praise, and the most important and complete work that the arts have ever produced. It was the artist's intention to paint it in colors, but the impatience of the person who had ordered it, who was no other than the Count himself, did not allow him sufficient time. The subject is a very striking one. It was suggested by a passage in Chateaubriand's "*Historical Discourse on the Fall of the Roman Empire*." The poet and traveller cites a fragment from Damascius, which embodies a marvellous tradition, the substance of which is the following. A battle was fought between the Romans and the barbarians at the gates of Rome, and so great was the slaughter, that no one on either side was left alive, except the commanders and some few of their attendants. After they had fallen, their ghosts continued the combat in the air three whole days and nights, with the same fury they had shown while alive. It is at once obvious, that to represent to the eye a scene and subject like this, so as not to shock the mind by the suggestion of gross improbabilities, must require the highest genius and the profoundest study. The artist has departed in one particular from the legend, inasmuch as he has not separated the chiefs from the soldiers; and here his judgment is undoubtedly correct. If we may judge of the effect of the picture by the fine engraving, the artist has completely mastered the all but insuperable difficulties of the subject. We know, that the late Mr. Allston expressed his admiration of the conception and the design with extraordinary warmth; and Mr. Allston's authority on any subject connected with the art of painting was the highest in this country, if not in the world.

"I could hardly conceive," says Raczynski, "that if it were executed in color, even in large dimensions, it could have preserved the indefinable character of mystery and grandeur, which is so remarkably stamped upon the design; nevertheless, since I have seen the colored sketch, I have entertained no doubt, that if the owner of the picture could have restrained his impatience, the finished work would have been as perfect in point of color, touch, harmony, and effect of light, as it is at present in composition and design."

In the pictures from Goethe, the artist has not only illustrated particular passages from the great poet's works, but has sometimes taken merely hints for his own inventions. He has illustrated several of Goethe's most exquisite minor poems, such as "The Fisher," "The Traveller," "The God and the Bayadere," and scenes from Faust, Egmont, and Iphigenia. These pictures are painted in encaustic. On the ceiling, are subjects treated in a smaller size, in fresco, also taken from Goethe. Some of these are executed by other artists, but the designs are all by Kaulbach. He has sometimes attempted Scripture subjects, but with less success. His crayon portraits are said to be remarkable for their resemblance, and for characteristic expression. Among his portraits, are those of Görres, Heine, Morgenstern, Cornelius, and Klenze. He also furnished designs for the Baron Cotta's new edition of Goethe. Of his compositions, those in Hogarth's manner, such as "The Madhouse" and "The Criminal" are thought to be most in accordance with the natural bent of his genius. The character of this artist is summed up in the following words.

"Kaulbach is a hard student, full of zeal, unwearied. While he is composing, all the powers of his soul are brought into play. The studies which he makes from models are rendered with the most scrupulous fidelity and the minutest care; he leaves nothing to chance. He has often studied the play of physiognomy on himself, and, placing himself before a glass, he sometimes tried to give his own features the expression of the passions which he wished to render. The distinguishing mark of Kaulbach's talent is, that grandeur in his works, even when it reaches the highest degree, is never tainted with exaggeration. It is the grandeur of inspiration, and the depth of thought united with a taste always pure, and tempered by moderation. I know of no artist more original, more uniformly himself, and yet who repeats himself less."

Our limits do not allow us to touch upon the numerous in-

teresting subjects discussed in connexion with the Munich school of painting. The landscape paintings, *genre* pictures, lithographs, and glass and porcelain-paintings are treated at considerable length by our author ; but with this mere allusion, we must pass on to the architecture and sculpture of Munich.

Leo von Klenze, ennobled by the king for the extraordinary genius he has shown in architecture, was born in 1784, in the neighbourhood of the Harz mountains. He is a man of profound and brilliant education, is well versed in the ancient languages, and has acquired a vast variety of knowledge. He has executed a great number of important public works, has received an appointment in the ministry, and the place of superintendent of public buildings, and many other marks of royal confidence and favor. The Glyptothek, the Pinacothek, the Odeum, the Walhalla, and the Arcades, are among the principal works built after his designs, and under his superintendence. He is also the author of several highly esteemed works on the science of architecture. These labors are sufficient to immortalize the artist's name.

Gärtner, born at Coblenz in 1792, is Professor of architecture in the Munich academy. Among the structures erected by him are the Library, the Institute of the Blind, and the Church of Saint Louis. Other architects, who have distinguished themselves at Munich, are Ohlmüller, Metivier, Schlichtegroll, and Zielband.

The most conspicuous among the sculptors of Munich is Louis Schwanthaler, who was born in that city in 1802. His family has been, for several generations, devoted to sculpture in different parts of Germany. He received a careful education at the Gymnasium, and then became an artist. Painting, especially the painting of battles, was the department of art to which his early taste first directed him ; but his genius soon found in sculpture its proper career, and he instinctively selected antiquity and the Middle Ages as his favorite objects of study. His first studies in art were pursued under the direction of his father ; but he completed them at the Academy, which he left in 1825. Klenze and Cornelius were among the first to recognise and bring forward the rising genius of the young sculptor, and the immense projects of the king afforded him a wide scope for the exercise of his talents.

For more than two centuries, nothing of any importance had been done in the manner of the Middle Ages. Rauch, the great sculptor of Berlin, by imitating neither the sculpture of the ancients, nor Canova, nor Thorwaldsen, showed a characteristic and vigorous genius, without departing from nature, or having recourse to academic or conventional forms and attitudes. He was the first who exhibited the true German type, not as the result of mere imitation, but of the agreement between his own artistic feelings and those of the great age of Albert Dürer ; and his works are eminently original and conformable to the taste of the public and of the German artists.

Schwanthaler had an opportunity of trying his hand in this same style. He received an order for statues of the king's ancestors, destined for the palace of festivals, and for models, in small size, of statues of the most distinguished ancient painters, to surmount the Pinacothek. Among the latter, the statues of Raffael and Michael Angelo are most highly esteemed. In the antique style, his " Battle of Hermann," on the pediment of the Walhalla, is pronounced the most important. We translate the following explanation from Raczynski, furnished by the artist himself, premising that, in the composition of the groups, the narratives of Tacitus, Cæsar, Velleius Paterculus, Dio Cassius, Diodorus Siculus, and other authors, were carefully consulted.

" In the centre is seen, resting against the trunk of an oak, Hermann, represented of heroic size, nude, and more colossal than the rest of the figures, with the buckler, sword, rings upon his arms and legs, and on his head the antique casque, of the form of those which are still found in the tombs of the ancient Germans ; at his feet the eagle, the axe, and the ensign surmounted by a hand. His attitude is calm. At his right, are German chiefs, among whom we observe Melodes, the Sicambrian, who had stirred up the revolt, and defeated Solius in all his manly vigor ; behind him, two heroes of his nation, and a bard who chanted songs to Wodan, one of the gods of those tribes. Two scenes, characteristic of the primitive usages of the ancient Germans, follow ; one represents a prophetess, who appears like a phantom, issuing from a marshy cavern, and making her way through the rushes ; the other characteristic trait of the manners of that people is represented by the figure nearest that of the prophetess, which is a monument erected to the honor and virtue of the German women ; a woman, kneeling, crowns the helmet of a dying warrior, and supports his head with her left hand ; the war-

rior is an old man who has just captured a standard. The battle-axe reposes in his right hand. The other side of the composition, beginning from Hermann, is devoted to the Romans ; the first figure is a triarius, one of a class of soldiers who took part in battles only when the light-armed troops had conquered or been defeated. This figure shows that the battle is nearly over. A light-armed soldier, perhaps the brave Lucius Asprenatus, seems, while giving ground, resolved still to defend Varus, who kills himself by thrusting the sword into his bosom. Behind him a dying standard-bearer uses his remaining strength to hide the eagle in the morass, perhaps the eagle of the third legion, which as history relates was neither taken nor recovered ; a legionary is frightened by the approach of the Germans, and the act of Varus, whom he attempts to support with one hand ; the parcel placed near him, and containing part of the plunder, reminds the spectator of the greediness of Varus and his legion, who had already pillaged Syria. To indicate the morasses of Germany, the artist has placed there a Roman, sunk in the mire and extricating himself with difficulty. A standard-bearer, without his standard, terminates the group." —Vol. II. pp. 456, 457.

This composition contains fifteen statues. The length of the pediment is ninety-six feet. The marble is from the neighbourhood of Schlanders, near Meran, in the Vinschgau. Its grain is as compact, and quite as solid, as that of Parian marble, and its color is pure white. The most skilful workmen were employed to perform the manual labor of chiselling the marble, under the eye of the artist.

Danecker, whose name is known all over the world, was of Stuttgart. His colossal "Christ" and his "Ariadne" have been so often described, that it is quite unnecessary in this general notice, to do more than barely allude to them and to their celebrated author.

We pass over the interesting and valuable accounts of the artists of Nuremberg, Augsburg, Ratisbon, Prague, and Vienna, for the purpose of giving, in the few pages that remain to us, a brief account of the varied and learned contents of Raczynski's third volume, particularly of the chapters on Berlin and Dresden.

The Academy of Arts in Berlin dates from 1699. Terwesten the painter and Schlüter the architect were charged by the Elector Frederic the Third, — afterwards king, under the name of Frederic the First, — with the formation of this institution. Rode, the most celebrated painter of Ber-

lin previous to the modern epoch, was made director of the Academy in 1783. But nothing of any importance in the arts was produced at Berlin until Begas and Wach, on their return from Rome, commenced there the era of modern art. Begas was born at Heinsberg, near Aix-la-Chapelle, in 1794. His father, though a lawyer, discovered the early indications of talent for the arts which his son manifested, and readily assisted, by all the means in his power, to develope them. In the city of Cologne, his taste for art was nourished and strengthened, and at the age of nine years, he was placed under the instruction of a master. The French style had a great influence when he began his studies; but though he was unable wholly to escape its effects, he soon came within the intellectual influences of the Schlegels and the Boisserées, to whom German art owes the most lasting obligations. At the age of eighteen years, Begas was sent to Paris, where he placed himself under the instruction of Gros, and began to draw from the living model. His studies were interrupted by the events of the year 1813, and were not resumed until 1815. He painted at Paris a Madonna in the clouds, with the infant Jesus, and afterward a picture representing Job and his friends. Both these pictures became the property of the king, who settled on the young artist a pension, to enable him to continue his studies three years. While at Paris he also painted a "Christ on the Mount of Olives"; a picture that was exhibited at Aix-la-Chapelle, during the Congress. This, too, was bought by the king, who at the same time ordered a picture representing the "Outpouring of the Holy Spirit," which the artist carried to Berlin in 1821. On his journey he passed through Strasburg, Carlsruhe, Stuttgart, and Nuremberg. The enthusiasm for old German literature and art, which he found at an extravagant height in these cities, affected him powerfully, and diminished the still remaining influence of the French taste. The collections of old German pictures, made in Stuttgart by the Boisserées, took a strong hold of his imagination. On his arrival at Berlin, he painted several pictures, which showed decided marks of this new tendency. Soon after this, he was enabled by the liberality of the king to visit the classic land of Italy. On his way thither, he went to Munich and saw some of the pictures of Cornelius in the Glyptothek. Before he reached Rome,

he had explored the treasures of art in several of the largest cities in Northern Italy, and the work of conversion which the Boisserée collections had begun was thus completed. The two principal pictures which he painted in Italy are a portrait of Thorwaldsen and the "Baptism of Christ." "Returned to Berlin," says the artist, very pithily, "I got married. Domestic happiness, the arts, and six children, of whom five are boys full of vigor and life, embellish my existence."

After his return, he produced a series of works of great interest, which placed his name among the best painters in Germany. As a portrait painter, Raczyński pronounces him the first in the country. His oil pictures are distinguished by a manner of coloring closely resembling that of the old Venetian school.

Wach was born at Berlin, in 1787. From early childhood he manifested a decided taste for the arts. He was carefully and thoroughly educated. His powers were cultivated by the study of history and literature, besides those sciences which belong peculiarly to the education of an artist. His first important work was an altar-piece, representing Christ with Saint John and Saint Matthew, half-length figures of the size of life. In 1811, he was employed to paint a portrait of the queen from memory, aided by portraits and busts which had been made during her life. Wach served as an officer of the Landwehr, or national guard, and as aid-de-camp of General Tauentzien; a period of his life which he has always looked back upon with pride and pleasure. At the close of his military services he gave himself to art with renewed zeal; but the return of Napoleon from Elba again interrupted his pursuits. He went to Paris with the allied army, and remained there some time, studying with David, and afterwards with Gros. At this period, he painted the "Christ upon the Cross," which belongs to the garrison church of Berlin, and a "Saint John in Patmos," which belongs to the king. After a residence of two years in Paris, he went to Italy in 1817. He found at Rome that distinguished company of artists, who have elevated German art to its present lofty height. Wach joined them, shared in the same influences which formed their genius, and associated his name in inseparable and immortal companionship with theirs.

On his return to Berlin, in 1819, he received from the

king an order for two large pictures, to be placed in the church of Saint Peter and Saint Paul at Moscow ; one represents the " Resurrection," and the other, the " Supper." These pictures are considered as among his most important productions. Afterwards he painted symbolical compositions, arabesques, allegories, portraits, historical subjects, and a great variety of other pictures, increasing in fame, and enlarging the sphere of his influence, by forming a large number of pupils, who have carried into other countries the principles of their master.

The number of portrait and *genre* painters is very considerable at Berlin ; there are also landscape painters of distinguished merit ; of the architects, Schadow and Shinkel are the most eminent. Among the sculptors, Rauch is the best known out of Germany, and one of the most illustrious artists of modern times. This great man was born in 1777, at Arolsen in Waldeck. He was at first placed as an apprentice to a stone-cutter named Valentin, and afterwards earned a living, for a time, in the workshop of a Mr. Ruhl at Cassel, devoting all the time he could spare from his occupations to modelling. Business called him to Berlin in 1797, where he became acquainted with many young artists, and gained the good-will of persons of rank, and even the favor of the king, who discovered his strong inclination for art. In 1804, he set out for Italy in the company of Count Charles Sandrezky. He formed an acquaintance with the most distinguished artists resident in that city, and gained their confidence and friendship by his zeal and his amiable personal qualities. William Humboldt, at that time Prussian minister at Rome, took him into special favor. He could also boast of the friendship of Thorwaldsen and of Canova. The works of the former had no little influence upon his taste. During his residence at Rome, he executed a bas-relief of Phædra and Hypolytus for Mr. Balk ; a Mars and Venus wounded by Diomed, for Humboldt the minister ; and several busts, one of which was that of Mengs, destined for the Walhalla. The French at that time occupied Rome, and had established an exhibition designed to present to the public all the works of the artists resident in the city. A committee was selected from the artists' association, to pronounce upon the merits of works of art, and to decide the question of their admission, and Rauch was appointed a

member. This circumstance attracted the attention of the king of Prussia, who immediately granted him a pension sufficient to enable him to continue his studies, and to relieve him from the pecuniary embarrassments in which he had become entangled.

When the king, in 1810, applied to Canova to execute a monument in memory of the queen, who had died that year, the great Italian artist replied, that he considered Rauch fully competent to fulfil his majesty's intentions. Upon this the king summoned Rauch to Berlin, to compete with other artists ; the plan proposed by him had the preference, and he was charged with the work. Soon after beginning his task, his health obliged him to visit Italy, where he completed the statue of the queen for the Charlottenburg monument in 1813. In the winter of 1814, he returned to Berlin, where the statue was received with the liveliest enthusiasm, and Rauch was nominated professor and member of the academical Senate. He afterwards executed a great number of works, the most important of which are the statues of Scharnhorst, Bulow, and the emperor Alexander ; another, much admired, of Albert Dürer, at Nuremberg, and one of the king of Bavaria at Munich ; six allegorical figures representing victories, for the Walhalla ; and a very important work, the equestrian and colossal statue of Frederic the Great.

"The three sculptors," says our author, "who stand highest in the opinion of the Germans, are Rauch, Schwanthaler, and Thorwaldsen. But their peculiar characters as artists are widely different from each other. Schwanthaler has the greatest, the most copious, and the readiest talent in composition. His spirit and taste have been formed in the presence and by the models of antiquity ; he has learned *to think in Greek*, and has produced innumerable works in this language. His thoughts are rapid, but one might wish that they had characterized the subjects more, and that they had been developed with more depth, greater detail, and more precision. There is, morally speaking, too much *vacancy* in his productions.

"Thorwaldsen is a powerful genius. His works, although they share in the antique character, do not essentially characterize any one period, but they all bear, in a very high degree, the marks of the sacred flame. Thorwaldsen has carried back the art of sculpture to the severe style, to which Canova had already begun to restore it. The taste and the grace, which distinguish the genius of Canova, are not met with in all the works of Thor-

waldsen ; and this is the fault which I should find, for example, with his 'Venus,' his 'Three Graces,' and other nude female figures ; but he has impressed a great charm on some of his female forms ; among others, his 'Night and Day' ; his 'Triumph of Alexander' is the grandest composition of modern sculpture."

In the remaining part of this work, Count Raczynski gives an account of the state of art, both ancient and modern, in Dresden. Among the eminent painters of this city, the name of Näge, who passed several years at Rome in company with Cornelius, Veit, Schadow, and other German artists, and who painted several pictures of great merit, stands eminent. His works are particularly esteemed for skill in design. He was a great invalid, and never satisfied himself with his work. He never knew when to stop. "Thus," says our author, "he passed fifteen years, tormenting himself with his Saint Elizabeth." Some of these traits bear a strong analogy to those of the illustrious American artist, whose death we have so lately been called to mourn.

Among the Saxon artists is Retsch, whose exquisite illustrations of Goethe, Schiller, and Shakspeare, are universally known. We have been disappointed to find only a single meagre paragraph in the present work on the genius of a man to whom the whole world is indebted.

Rietschel the sculptor, and a distinguished pupil of Rauch, was born at Pulsnitz, near Dresden, about the beginning of the present century. He first studied art in Dresden, and was afterwards employed as a modeller in an iron foundry of Count von Einsiedel, at Lauhammer ; thence he was transferred, through the influence of this nobleman, to the *atelier* of Rauch. In 1831, he visited Rome. One of the statues on the pediment of the Glyptothek, at Munich, is his work. The monument to Frederic Augustus, which he erected, is ranked among the most remarkable works of the present age. But the great bas-relief in the Dresden theatre has been most applauded. The subject is taken from Æschylus. Clytemnestra is lying in the arms of her aged nurse ; Ægisthus is extended near her ; three Furies receive from Minerva the order to put an end to their pursuit. Orestes takes refuge with Minerva and Apollo, behind whom three judges of the Areopagus are sitting. The figure of Nemesis terminates the composition ; the centre of

the bas-relief is occupied by Melpomene, the Muse of Tragedy. Raczynski sums up his judgment upon the merits of this piece in a few words ; he says, " Melpomene and Orestes have great beauty ; the Furies, though well conceived and felt, might nevertheless have been better grouped ; and finally, the work, taken as a whole, though remarkable in many respects, has not, perhaps, a character sufficiently determined, sufficiently plastic." If we may form an opinion upon this work from the fine engraving by Eichens, we should say, that Raczynski's critical objections are not very well founded.

We have thus gone over, cursorily and superficially enough, the varied contents of Count Raczynski's splendid volumes. We repeat, what we said in substance at the beginning of our former paper, that it is a work equally honorable to the taste and patriotism of its noble and accomplished author. Its costliness must render it a book inaccessible to the great body of readers. An able writer, familiar with the principles and the history of art, could hardly render a more valuable service to civilization, than by drawing up, in a condensed form, a sketch of the rise and progress of the arts in modern Germany ; of that wonderful movement, which has carried the best scholars deep into German antiquity ; which has led them to explore the boundless treasures of poetry, which the mighty Middle Ages produced in that land of bold deeds and chivalrous feeling ; which has kindled the souls of artists with an inextinguishable enthusiasm for their country, and taught them, like the Greeks of old, to appeal to the national heart by immortalizing on canvass and in marble the national history and traditions. For art in the United States, such a work would be of incalculable importance. The rising genius of our country needs the instruction and the guidance of these great German teachers. Our countrymen have shown remarkable aptitude for the fine arts ; but they need education, they want learning. The lofty intellectual culture, which the ancient capitals of Europe require and cherish, is but rarely attained by the young artists of America. The classical and historical studies, the profound literary acquirements, which are the very soil out of which the fine arts grow and flourish in Europe, are compassed only by a few favored individuals among the sculptors and painters of the United States.

While we write these sentences, our thoughts are drawn irresistibly to the loss we have recently suffered in the death of Washington Allston. He was an artist in the truest and highest sense of the word. For many years he held undisputed preëminence among the American painters. He was a man of a finished literary education, having studied and taken his degrees at the University in Cambridge; and through his whole life, his leisure was adorned by poetry and elegant literature. The best authors in several languages were as familiar to him as the great models in his art; his taste in literature was as exquisite as that which is shed over the immortal productions of his pencil. Some of his published poems are not surpassed by any thing in American literature. Every reader is familiar with his magnificent ode to England and America. As a poet, he showed a most delicate imagination, an exquisite purity of thought, the finest susceptibility to the harmonies of language, and extraordinary powers of expression. A collection of his pieces, including the little volume published by him many years ago, and now out of print, and the poems he has since written, would be a precious addition to the treasures of American poetry. As a prose writer, he is chiefly known by the romance of "Monaldi." The style of this work is flowing, melodious, picturesque, and beautifully finished; many of its scenes are wrought up with a terrible power; more of them sparkle with all the graces of imagination and taste. There are paragraphs in that book, in which the very soul of the author seems to pour itself out in strains of the richest melody; there are innumerable passages of such graphic beauty, that no other hand could have traced them but his, whose marvellous cunning painted for all coming time the "Beatrice," "Rosalie" and "Amy Robsart." We are incompetent to trace his character as an artist; but we may be allowed to state our own impression without exposing ourselves to the charge of assumption or arrogance. We have always felt, in the presence of Allston's pictures, that they were stamped with a sublime genius and all nobleness of soul. They are marked by the purity and elegance of conception, which are so strongly expressed in his literary works. A beautiful and lofty imagination and a spirit of generous morality impress themselves on the mind of the spectator. Our souls are touched, no less than our fancy; we learn les-

sons of purity, as well as stamp upon our memories the images of unapproachable beauty, whenever we contemplate his works. His coloring was celebrated, even in his youth, while he formed one of that glorious company of artists in the Eternal City, to whom the revival of art in these later days is due. The writer of a most able chapter on the arts in modern Rome, in Brunsen's great work, expressly says, that Allston's coloring approaches nearer that of the old Italian masters, than the coloring of any other painter of the age. The opinion pronounced on his early pictures has been strengthened by the noble productions of his pencil that have since appeared. In drawing and composition, he was equally skilful and learned. We have seen compositions of his, which have never been executed in colors, of the most delicate beauty. The genius of Allston we regard as one of the dearest treasures of our nation. His relation to American art was peculiar, and unlike that of any other great artist to art in any country. He never formed, or apparently attempted to form, a school; he never headed a party; he never felt any one of the bad passions which so often disturb the harmony of poets and artists. His devotion to his art had no reference to personal aims, selfish pursuits, or vanity or ambition. It was simply following out the instincts of his nature. In it he found his happiness. He lived in a world of his own creation; fair forms, of transcendent beauty, radiant with the hues of heaven, surrounded him in his daily life; and among them his gentle spirit moved, with them conversed, and from them borrowed the immortal colors in which his own lovely creations are clothed. To other artists he stood in relation of friend. He was regarded by them all with singular affection and veneration. No rivalry ever existed between him and any other human being. He pursued his own ideal, which, like the line of the horizon, ever retreated before him; and this was the only form of ambition it was possible for him to indulge. He judged the works of other artists with a genial and appreciating spirit, entering into their purpose, and pointing out their excellences with a single eye to art, and not the remotest reference to self. We never heard of his having an enemy, either in or out of his profession. In his presence, the pettishness of the irritable race ceased its feeble and foolish pranks. His calm wisdom, the seren-

ity of his soul, subdued all passion, and harmonized all discords. Where he moved, peace followed his footsteps, and the spontaneous love of all hearts surrounded him, as if he had been a being from another world.

Mr. Allston's conversation was singularly attractive. The Graces, seeking a shrine, certainly chose his soul for their temple. His peculiar and striking personal appearance can never be forgotten. His tall and slender figure, his pale countenance, the towering pile of his forehead, his regular and pleasing features, his large hazel eye, the venerable locks that waved in the solemn beauty of silvered age from his shapely head, formed in their combination an image which he who has once seen must see for ever. His manners were mild, sincere, urbane, and warm; expressing all the blended softness, grace, and dignity of his character. His voice was the gentlest utterance that ever mortal spoke in. Of late, it had been enfeebled and made somewhat indistinct by long and severe ill health; so that it was necessary to listen very attentively, and to sit near him, to hear all that he said. Night, deep night, was his most genial time for conversation. Seated in an arm-chair, in his small parlour, with two or three friends around, and a temperate glass before him, the perfume of his favorite cigar wreathing about his classical head, he would pour out, in a rich, low tone, the copious stream of anecdote, remark, refined criticism on literature or art, keen but kindly humor, and satire, or ghost-story, which, as he related, he more than half believed himself, and made his hearer believe entirely. The airy-footed hours passed noiseless and unheeded; and when returning consciousness warned the circle that midnight had long since departed, each listener sighed to think the night so short, so potent was the enchantment that held him in its thrall. We look back with a melancholy pleasure on many such scenes; but we bear in especial remembrance a succession of evenings the very last winter, in which the great artist condescended to read to us, in company with a poet whose genius has illustrated the literature of the country, a series of discourses, which he had prepared, on the theory, principles, and practice of art. They appeared to embody the experience, study, and reflection of his whole artist's life; and were written with marvellous beauty and eloquence. It was a most interesting and impressive thing, to hear that beloved

and venerated person, after making all his peculiar arrangements, — placing his lights each in a certain position, — setting his footstool between his chair and the fire, — warming his feet, — lighting his cigar, and reducing his manuscripts to order, — read on, hour after hour, pausing occasionally to answer a question, or explain a point, those masterly expositions clothed in the richest forms of language ; at one moment, stating some profound principle with extraordinary power, at another, illustrating it with incomparable beauty ; then describing a favorite masterpiece of painting with such feeling and pictorial skill, that sight itself could scarcely surpass the liveliness of the impression his description made ; his large, mysterious eye growing larger with the interest of his subject, his voice increasing in volume and strength, his pale countenance transfigured by his kindling soul to an almost supernatural expression, until, as he uttered passage after passage of harmonious and magnificent discourse, he seemed to become the inspired prophet, declaring a new revelation of the religion of art.

These discourses, we understand, are left unfinished ; when published, as of course they will be, at a proper time, we predict that they will make a new era in the criticism of art. We know of nothing in the literature of this subject which will bear a moment's comparison with them, in profoundness, beauty, and truth. They exhibit the powers of Allston in a new and admirable light, and will do honor even to his illustrious name.

What a singular harmony there was between the genius, the character, the pursuits, and the death of Allston ! The serene close of his days gave the finishing touch to the picture of his life. He died sitting in the same chair from which he had so often delighted his friends by his conversation ; and after death, not a feature of that sweet face was discomposed ; but he lay beautiful in death, as he had been beautiful in life, like some gracious work of art, just finished, and just beginning its silent immortality.

ART. VI. — *Annual Message of the Executive to the General Assembly of Maryland.* December Session, 1842. Annapolis: George & William Johnston, Printers. 8vo. pp. 20.

It has often been remarked, that the most valuable gifts of nature are precisely those which are bestowed with the greatest profusion. It requires some effort of reflection to recognize and acknowledge the number and magnitude of those blessings which are showered upon all mankind alike, and are essential to their very existence ; though, from their continuous character or their incessant recurrence, we are apt, in summing up the good and ill of our earthly lot, to pass them by in utter heedlessness, or to forget them amid a whirl of cares and perplexities resulting from the casual absence of some minor, and in comparison quite insignificant, object of desire. The air, the water, freedom of speech and motion, health of mind and body, the unimpaired possession of the senses, abundance of daily food, friends, a fine sky, a beautiful prospect, — these are the most common things in the world, but they are those of which we take the least account. They are the heritage alike of the king and the mendicant ; but the one is too proud, and the other too miserable, even in the midst of them, to think of being grateful for their presence. Common language, which is the exponent of common feeling, has no phrase to express the value of those things which cannot be bought and sold, because, being universally diffused, no one can convert them into his exclusive property. Most men are like the political economist, who recognizes no value but that which is marketable.

The case is quite similar in the social state, with respect to the advantages which redound to mankind from the mere existence of society, irrespective of the greater or less skill manifested in its constitution, or of the comparative intelligence and virtue of its members. Companionship, general security of life and limb, the institution of property, the division of labor, the tacit laws which regulate our intercourse with each other, the facilities for extending that intercourse to an indefinite extent, — all are benefits which are experienced alike by the subjects of the best and the worst government, and which mark out the situation of those subjects as

immeasurably superior to the merely animal existence of the solitary and the brute. We speak of gross tyranny, or an essentially evil government, as a thing which ought to be resisted even at the expense of life, — not because it deprives us of a thousandth part of the things which render life desirable, — but because it is the denial of a right — a *perfect* right — which the first impulses of our nature require us to maintain, though the object which it covers may be too insignificant to deserve a moment's consideration. Despotism makes but a small inroad on a man's daily comforts, on the sum of his means of enjoyment. It levies an unjust impost of three pence a pound on tea ; it requires one man to contribute six pence to the support of government, while his neighbour, having equal means, is taxed but four pence ; it enjoins upon all persons to forego the open expression of their opinions on two or three topics, though they may think what they like in reference even to these, and may say what they like on the innumerable other themes of speculation and discourse.

“ How small of all that human hearts endure,
That part which laws or kings can cause or cure.”

There is no great hardship in the case apparently, when viewed in this light ; but men go to war about it, and make revolutions, and equip armies and fleets, and shed blood, and acquire undying reputation for patriotism by these efforts, not because they avoided the payment of an insignificant tax thereby, but because they successfully defended a principle. They wholly disregard the countless other blessings, of infinitely greater importance than the original subjects of dispute, and which they might quietly have enjoyed under the old government to the end of time, without let or hindrance.

If we go one step farther, and look at society and government in their best estate, we are still struck by the same fact, — that far the most important and beneficial results are produced by that part of the social machinery which is most quiet in its operation, and consequently attracts the least notice and remark. The motive and the regulating power, that which keeps every part of the vast machine in motion, which turns the drums and the cranks, lifts the ponderous hammers, and guides the wheels in their swiftest whirls, is placed precisely in that portion of the building where there is the least

clanking and din. Slowly and silently the great water-wheel revolves in the basement story, while the stir and the Babel are in the apartments above. Equally powerful and noiseless in their operation are the great springs of government, while the loudest clatter attends the working of the least efficient department of the state. The legislature is essentially a noisy body, a blatant beast ; and its real activity and efficiency are generally in inverse ratio to the bustle and clamor which it makes. It enacts laws and repeals them, though its debates are often conducted with the greatest heat and vehemence, when there is the least prospect of doing either, — when an empty resolution, a mere declaration of opinion, is the only subject of dispute. The fundamental laws of the state, the principles of the constitution, are those which it dares least frequently to touch, though they form the constant topic of vociferous declamation and angry debate. The position of the executive in modern days is equally conspicuous and arrogant, while its influence on the general well-being of the country is even less constant and less perceptible. In a monarchy, it is a pageant or a symbol ; in a republic, it is an object of noisy ambition, and a dispenser of gifts to clamorous applicants. In the former case, the fortunes of an individual subject are but little affected, though the throne may be occupied by a sot, a driveller, or a knave ; in the latter, only the persons who fill the inferior offices have a deep interest in the character of the incumbent of the executive chair. The prosperity of the community at large, in every material respect, except on rare emergencies, is beyond his action and control. Yet the succession to a throne, or the election to a presidency, stirs the minds, or rather the passions, of men, as if the result were to modify essentially and continually the outward weal and the fire-side comforts of every citizen. What a turmoil, and a running to and fro, and a gathering of multitudes, and a waste of speech and print, occur every four years in this country ; and yet, when the contest is over, how trivial is the effect on every actor in the busy scene, apart from the gratification of his pride or his vanity in the success of the cause to which he is attached ! The poor are still condemned to the same dreary routine of toil, and the rich are arrayed in fine linen and fare sumptuously, and neither Van Buren nor Clay can help the one, nor prevent the other.

But there is one department of the government which goes silently on its way, unceasing and indefatigable in its labors, neither attracting nor heeding the remarks of the multitude, though the property, the honor, the security, and even the life, of every citizen are subject to its control and protected by its power. We refer, of course, to the Judiciary. Who can estimate the sum of the influences of this portion of the social machine, or the variety of the directions in which they are exerted? Through the whole country, not a bargain is made, nor an institution founded, nor a marriage contracted, nor a death occurs, but that this powerful and almost unseen agent controls the expectations of the actors or the spectators, and decides what shall be the consequences of the act. It is this power in the state which determines, almost exclusively, the measure of that protection which government affords to all its subjects, and for which it is instituted and they are taxed. Whoever suffers a wrong, or claims a right, whatever be its nature or extent, looks to the judiciary for redress or support. In the confidence that this defence or compensation will be afforded by it, he accepts the engagements of his neighbour, relies on his promises, confides his property to other hands, walks the streets in perfect security by night as by day, and sleeps, if he chooses, with his doors unbarred, and not a weapon in his house. And how little notice is taken of the operations of this salutary agency, and how quietly it does its work! The sleepless activity of the law, the constancy with which its influence is felt, and the implicit reliance which we place in its integrity and watchfulness, seem effectually to blind us to any proper sense of its dignity and importance. We receive its benefits as we do the influences of the sun and rain, as we inhale the air, or slake our thirst from the running stream, without taking any note of the magnitude of the gift which we enjoy. Only some fearful convulsion, by loosening all the bands of social order, and violently interrupting the workings of this great machine of state, could convince men of its value by making them sensible of its loss. Ordinary political disturbances are insufficient to stay or impede its continuous operation. Even during the darkest period of our Revolution, the doors of the courts remained open, the complainant was heard, and justice was rendered.

That is but a superficial view of the subject, which regards

the judiciary only as the creature of the legislature, bound merely to watch over the quiet and equal operation of the laws made for it by a superior power. Legislative action is too feeble, desultory, and short-lived, to modify to any great extent the vast body of principles and usages for the guidance of the courts, which have been silently accumulating during the lapse of ages. Slowly and painfully it introduces a few new elements into the aggregate, but the character of the whole evinces essential change only after the interval of centuries. In this country, we are even now reaping the fruits of the legislative wisdom of Edward the First, and of the acumen and wisdom of judges who occupied the bench during the reign of the Tudors. Our ancestors brought with them to these shores the great collection of unwritten maxims and customs, called *the common law*, as the most precious portion of their English birthright; and, adopted either by express enactment or quiet assumption, it has remained with us to this day, not only coloring the whole stream of our legislation, but still constituting in itself the main body of our jurisprudence.

“It was not introduced,” says Mr. Justice Story, “as of original and universal obligation in its utmost latitude; but the limitations contained in the bosom of the common law itself, and indeed constituting a part of the law of nations, were affirmatively settled and recognized in the respective charters of settlement. Thus limited and defined, it has become the guardian of our political and civil rights; it has protected our infant liberties; it has watched over our maturer growth; it has expanded with our wants; it has nurtured that spirit of independence which checked the first approaches of arbitrary power; it has enabled us to triumph in the midst of difficulties and dangers threatening our political existence; and by the goodness of God, we are now enjoying, under its bold and manly principles, the blessings of a free, independent, and united government.”

Commentaries on the Constitution. Abridged edition. § 80.

The reason why the law is built upon so broad a foundation, and towers to so vast a height, is to be found in the variety, complexity, and magnitude of the interests which it covers. The operations of the judiciary are necessarily co-extensive with the affairs and pursuits of men,—with the diversity of employments, the entanglements of business, the wiles of fraud, the species of crime, the modes and difficul-

ties of proof, and the causes of dispute, which mark the variety of character, and give full scope to the activity, of the human race. No cause is too mean to claim its attention ; no interest is so great as to rise above its control. The doors of the courts are open to every human being, on whatever errand he may come. And in order that equal justice may be rendered, and each case decided on its own merits, and not by the caprice or uncertain judgment of any man or set of men, it must be tried by invariable and equitable principles, previously known and established. Instead of wondering, therefore, that the science of law should be so extensive and complex, we ought rather to admire that human assiduity and patience should ever be capable of mastering its provisions. Attempts are made from time to time to simplify, abridge, and methodize some portions of the vast code ; but so long as the infinite diversity of cases exists, which come up for trial, and so long as it is deemed necessary for the ends of justice and the satisfaction of the parties, that each one should be determined by a fixed principle, and not by a sentence wholly arbitrary and capricious, so long evidently these attempts can have but very partial success. Often they increase the evil which they were designed to lessen. A law must be interpreted, and every new enactment supplies fresh difficulties of this nature to be overcome. Let the statute be framed in the most comprehensive and lucid language, with the greatest skill and circumspection that human infirmity will admit ; yet cases soon arise of a wholly unexpected and unprecedented character, and the question is immediately mooted, whether they fall within the scope of this particular enactment. We cannot refer to the intention of the legislators for the solution of this doubt, since the case was not foreseen, and therefore not provided for, by the founders of the law. Here then is fresh matter for the decision of the court ; a new rule of interpretation, a new governing precedent for future cases, is to be established in consequence of the very statute which was framed because the number of such rules and precedents was already too great.

In the collateral circumstances with which every legal question is surrounded, and which must, in some measure, control the decision, though they form no proper part of the case itself, we find additional reasons for the great accumula-

tion and constant increase of the principles of jurisprudence. Among these accessories are the rules of evidence, the interpretation of papers, the conflict of testimony, the forms of procedure, and, in short, all the circumstances through which the facts are ascertained and the trial conducted, apart from the mere determination of the law which governs the chief point in dispute. Over this great range of multifarious subjects, and guided by such an imposing array of maxims and usages that have been accumulating for ages, the power of the judiciary extends. There is not a member of the community whom its decisions do not more or less immediately affect ; there is hardly one who does not, more or less frequently, claim its direct interference. And the results of the decisions come home most closely to a man's bosom ; they affect his dearest interests, and stir his strongest passions. A litigant is, proverbially, an excited and unreasonable man. He has suffered a wrong, in imagination, at least, if not in reality ; and the promptings of pride and resentment, as well as the hope of pecuniary gain or compensation, blind his judgment, and hurry him into inconsiderate action. Perhaps the feelings of a public prosecutor, aiming to remove a common grievance, or of a politician, urged to seek protection and redress by the injuries of a party, mingle with and excite his peculiar and personal motives to action. In any and every case, he appears in court agitated by the most powerful impulses that can swell the human heart. The decision sends him away either elated and triumphant, or a humiliated and disappointed man, — vanquished in a contest on which he had set his heart, and perhaps a bankrupt in fortune and reputation.

Yet how quietly the system works ! After all the excitement and intensity of feeling with which the cause was first propounded, and the case conducted, the decision is received in submission and silence. Some indignation may be expressed against the inequality or insufficiency of the laws, but not a murmur against the character of the tribunals where they are interpreted and applied. Even the daily press, that faithfully records the most trifling transactions of the day, seldom deems it necessary to chronicle the proceedings of the courts. Sometimes, indeed, a criminal trial is held, involving the character of persons or events that have recently excited public attention ; and then the progress of the cause is eagerly watched. But even in this case, when the verdict

is rendered, or the judgment passed, curiosity and excitement appear at once to subside, and few are found audacious enough to question the legality or fairness of the proceedings. And the number of such cases is very small, and their importance trifling, when compared with the variety and the momentous consequences of the others which continually tax the silent and unnoticed industry of the courts. Why is it, then, that disappointment, and malice, and anger do not in these cases, as in all others wherein hopes are deceived, or fraud detected, or guilt exposed, lead to vehement abuse and outrageous assaults? How is the judiciary protected from the secret calumny or open abuse, which continually follows every other department of the public service? Why are men so patient under the operation of decrees, which strip a portion of them of their fortunes, or affix a lasting stain upon their reputations, or wound them in their tenderest feelings by doing these injuries to their nearest connexions and friends? A judgment of the court effectually thwarts the execution of a scheme, in which a number of persons had embarked their property and their hopes; and though they had hotly resented the slightest criticism or opposition during its progress, they quietly resign themselves at last to the total defeat of their expectations, as if the final blow had been dealt by a superior power, against which it were idle to struggle, and sinful to complain.

But we gain a very imperfect idea of the confidence inspired by the judiciary, and of the reverent submission with which its acts are received, when we limit our view to the private cases, in which only individual citizens are concerned. In England, and in this country, — though with some limitations in the former case, as will appear hereafter, — the courts are the tribunals of final appeal, before which constitutional questions, and doubts respecting the legality even of legislative acts, are heard and determined. They are, in the highest sense, “the guardians of the constitution,” appointed to see that the fundamental laws of the state shall receive no detriment. The controversies which they are thus called upon to decide have been agitated in the community with an earnestness and warmth commensurate with their intrinsic importance. In such discussions, popular excitement and the zeal and clamor of contending parties in the legislature have nearly silenced the voice of reason, and passionate declamation has usurped the province of grave debate. But

when these vexed questions come before the tribunals of law, they are discussed with as much patience and deliberation, with a logic as severe, and a power of analysis as searching, as if a mathematical problem were the only matter in dispute. The decision is at length made, and the controversy is put for ever at rest. The people acquiesce as implicitly as if their passions had never been excited; and a dispute, which seemed at one time to threaten the dismemberment of the state, passes entirely out of view, except as a matter of history.

We need not search far, either in English or American annals, for instances of what we have here described. Less than a century ago, Great Britain was convulsed by the dispute respecting the legality of *general warrants*; and the party of "Wilkes and Liberty" seemed for a period to menace the safety of the throne. The question was the most important one respecting the liberty of the subject that had arisen since the revolution of 1688; and every step taken by the ministry and the legislature seemed only to fan the popular tumult. Fortunately, it was one that admitted of legal arbitrament; and when the case came up for trial at the King's Bench, the judges formally decided, that general warrants were illegal and void. Public agitation at once subsided; Wilkes sunk into the obscurity which the profligacy of his character merited; Parliament retraced its steps, and, in the teeth of its former action on the subject, solemnly reaffirmed the decision of the court. The interference of the judiciary on this occasion, and its effect in stilling the wild uproar of political strife, seemed like the action of the sea-god in calming the troubled waters.

"— et dicto citius tumida æquora placat,
Collectasque fugat nubes, solemque reducit."

Only three years ago, a similar controversy arising between the House of Commons and the legal authorities, involving the gravest questions of constitutional law, such was the confidence reposed by the people in the integrity and steadfastness of the courts, that the affair excited no alarm, and the tocsin of popular tumult was never sounded. We refer to the case of Stockdale and Hansard, in which the House of Commons went so far as even to imprison the sheriffs, who executed the orders of the judges. But the people, notwithstanding

their natural attachment to the popular branch of the legislature, which has always been the noisiest, but not the most effectual, guardian of their rights, seemed to take sides with the judiciary ; and though the Commons acted with singular unanimity on the subject, their judgment was, in fact, reversed by the public. The equanimity and dispassionate conduct of both parties on such a trying subject must be attributed, almost entirely, to the high sense, which all persons entertained, of the justice and majesty of the law, as administered by the proper tribunals.

In this country, the effect of judicial proceedings on great constitutional questions was recently shown in a striking manner, in the case of *Prigg vs. The State of Pennsylvania*. Since the formation of the present government, no subjects have ever been debated with so much heat in Congress, or have excited such vehement controversy in the community at large, as those which involved the existence of slavery in the Southern States. Disputes on this head were among the chief impediments to the formation and adoption of the Constitution, and at various subsequent periods they have interrupted the harmony of legislation, and seemed to threaten the duration of the Union. So sensitive have men's minds become on this exciting topic, that a passing remark is resented like a studied attack, and in many quarters it is declared, that no open discussion of it shall be tolerated. The speck no larger than a man's hand is viewed with as much alarm as the thick gathering of clouds already black with the instant tempest. To the scenes which the agitation of this topic have occasioned on the floor of Congress, we need not allude farther than to say, that every friend to good order, to the reputation of the country, to the existence of the republic itself, must deeply deplore their occurrence. At this period of agitation and alarm, one of the gravest points belonging to the subject is carried up for decision to the Supreme Court of the United States. When this exciting cause came up for trial, the words of the poet might well have been directed to the court :—

“ Periculosæ plenum opus aleæ
Tractas, et incedis per ignes
Suppositos cineri doloso.”

But at this majestic bar, the matter was argued with as

much dignity and calmness, as if it had never set the country in a flame ; and the judgment was received by the public with the quiet submission which they usually manifest when ordinary judicial decisions are announced. Some murmurs were heard from both parties about the insufficiency or hardship of certain provisions in the constitution, but hardly a whisper against the fidelity and even-handed justice with which that instrument had been expounded by the court ; and some of the States have already begun to modify a portion of their statutes, so that they may conform to the principle of this decision, now recognized as the established law of the land. Suppose the same matter had come before Congress, and this large and irritable body had been called upon to legislate on the mode of reclaiming fugitive slaves. We have no heart to imagine and describe the scenes which would probably have ensued, and we gladly leave the sketch to the conception of our readers.

It would be idle to pursue these illustrations of a fact so notorious as the beneficial action of the judiciary in quieting public contests, and maintaining unruffled the majesty of the law. Its continued and salutary influence is alike conspicuous, whether employed in the arbitration of private disputes, in regulating the descent and transfer of property, in preserving the peace of society by detecting fraud and punishing crime, or in allaying popular fever and tumult on the great questions of political right and constitutional law. And its regular and peaceful action, though far from being fully appreciated by the community at large, owing to the very circumstance of its quietude, is still revered and protected from an indistinct consciousness of the blessings which follow in its train. Amid all the uproar of party contests, while calumny and invective dog the steps of the executive and the legislature, while a ribald press is for ever throwing its poison and filth on nearly every public character, neither age, nor office, nor previous reputation affording any immunity from its obscene attacks, — the judges sit apart, like the statues of the ancient gods in a temple, imposing from the stillness of the scene, the awful majesty of their attitude and expression, and the unsullied whiteness of their marble robes. *What are the causes of this great contrast ?* Why is it, that the mighty array of public opinion, which comes out into fearless contest with the other high authorities of the state,

— which does battle, when occasion calls, with Congress and Parliament, with kings and presidents, — on passing the august tribunals of the law, lowers its colors and silences its drums? In attempting to answer this question, some facts may be brought to notice respecting the position of the judiciary, which are too apt to escape the memories of men whose attention is so infrequently drawn to the subject, though they must be kept in mind, if we value and would preserve the most important advantages that result from the institution of society and the existence of law.

The first reason, then, why the courts are respected and upheld in their functions, is undoubtedly to be found in the nature of the subject on which they are engaged. Their office is the dispensation of *justice*, — the elucidation and enforcement of the idea of Right. They are revered from the reflected splendor and majesty of that virtue, which it is their high prerogative to unfold and maintain. “*Etenim omnes viri boni ipsam æquitatem et jus ipsum amant, nec est viri boni errare et diligere quod per se non sit diligendum. Per se igitur jus est expetendum et colendum. Quod si jus, etiam justitia; sic reliquæ quoque virtutes per se colendæ sunt. Ergo justitia nihil expetit præmii, nihil pretii. Per se igitur expetitur. Eademque omnium virtutum causa atque sententia est.*” * However the idea of abstract justice may seem to be covered up under the complexity of laws and precedents, and the technicalities of the courts, it is still the sole object of legal proceedings. Even enactments which are merely positive, and were not founded primarily on any dictate of natural law, acquire a moral force from their long standing; they become binding on the conscience, because, having governed the previous expectations and contracts, they are properly applied to determine the respective rights, of the parties to a suit. The legislature is guided by considerations of expediency, its aim being to advance the welfare of the state by watching over its temporal interests; and if higher objects are ever promoted by it, as when it favors honesty and religion by providing for the punishment of blasphemy and fraud, it is only because these virtues are subsidiary to lower ends, — because, in the long run, even in this world, honesty is the best policy, and religion the

* Cicero, *de Legibus*. i. 18.

highest gain. This task it shares with the executive, the province of which is coördinate with its own, both having the same ends in view, though different means are allotted to them for the attainment of those ends. Both are bound to the service of the state, and their rule of action is *salus reipublicæ suprema lex*. But the judiciary has a higher aim, and is governed by a nobler rule. It is bound to do justice though the heavens should fall. Thus it sometimes interferes with the action of the two other departments of government, and thwarts their best laid schemes for the public advantage, by defending the cause of Right. It bridles the legislature in the name of the constitution, and it stands between executive power and the rightful liberties of the subject. Thus the natural reverence of men for justice and the instinctive moral promptings of the heart are enlisted in favor of the courts, and hold up before the judges a shield against violence or contempt.

But the sacred character of the functions of the courts would not alone suffice to procure for them all the consideration and deference which they actually enjoy. The second, and probably the most efficient, cause of their high reputation and commanding influence is *the independence of the judiciary*. The tenure by which the judges hold their office shields them even from the suspicion of truckling to the chief power in the state, or of sacrificing in any way the ends of justice for their own advantage. The basis for this independence of our national judiciary is established in the constitution of the United States, which declares, that "the judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office." A majority of the individual States have followed the example thus set by the nation at large, and have placed their respective legal tribunals on an equally stable foundation; and most of those which have in any way limited their judges' term of office, have established periods of seven, twelve, or fifteen years, — a length of time which gives a considerable, though certainly an insufficient, guaranty of the independence of the courts. In one State only, Vermont, the judges are appointed to office but for one year; but even here, the good sense of the people, aiming to remedy the defects of their fundamental

laws, has induced them each year to reappoint the old incumbents with so much regularity as to establish the semblance of an independent bench. In England, as is well known, the judges were made independent soon after the revolution of 1688,* and the change has produced the most important and beneficial results in respect both to the character of the bench and the liberties of the people. Before it was made, the state trials were a disgrace to the character of a people that had any pretensions to freedom. The courts before which Hampden, and Russell, and Sidney were tried, went through a solemn farce to which it were mockery to give the name of justice. But since the alteration, the moderation of the officers of the crown, and the fairness and inflexible integrity of the bench, have cast an imperishable lustre on the judicial history of England. We need not specify instances, for since that period not one state prosecution has been conducted in a way to raise even the suspicion, that undue influence was allowed to the counsel for the crown, or that the court had prejudged the case.

The independence of the judiciary rests upon two points,—that the judges hold office for life, except they subject themselves to impeachment, and that they receive an honorable support, which shall not be lessened during their period of service. When these points are secured, not only are all temptations to swerve from the strict path of rectitude removed as far as is practicable, but not even suspicion can be turned against them. The breath of an imputation cannot obscure the mirror of justice. And this immunity is essential to the working of the system, and to the preserva-

* “In order to maintain both the dignity and independence of the judges in the superior courts, it is enacted by the statute 13 Will. III. c. 2, that their commission shall be made, not, as formerly, *durante bene placito*, but *quamdiu bene se gesserint*, and their salaries ascertained and established; but that it may be lawful to remove them on the address of both houses of parliament. And now, by the noble improvements of that law in the statute of 1 Geo. III. c. 23, enacted at the earnest request of the king himself from the throne, the judges are continued in their offices during their good behaviour, notwithstanding any demise of the crown, which was formerly held immediately to vacate their seats, and their full salaries are absolutely secured to them during the continuance of their commissions; his majesty having been pleased to declare, that he looked upon the independence and uprightness of the judges as essential to the impartial administration of justice; as one of the best securities of the rights and liberties of his subjects, and as most conducive to the honor of the crown.”—Blackstone’s *Commentaries*, I. 278.

tion of that public confidence in the judicial tribunals, which is the surest guaranty of public order. The judges must not only *be*, but *seem*, just. The character which they bear is a thing of quite as much importance for the common weal as the intrinsic equity of their proceedings. It is little for me that a man at a distance, of whom I never heard before, is defrauded of his due in the courts. But it is much for me to *feel the assurance*, that, if my person or property is ever wrongfully attacked, I shall find a just and powerful protector in the law. Such an assurance conduces much to the security and happiness of life, though one may never have occasion actually to invoke the aid of this strong champion.

We say, that all temptations are removed *as far as practicable* ; for it cannot be denied that, even in this independent and honorable station, an avaricious judge may, if he chooses, “contaminate his fingers with base bribes,” and sell the judgment and his own integrity. But those who lay stress upon this danger show that they have little knowledge of human nature. The gross temptation of a bribe may not allure a man to a flagrant violation of his oath, though the secret promptings of self-interest, the desire of pleasing a powerful friend, the hope of obtaining a reappointment to a lucrative office, may bias his reason by insensible degrees, and finally lead to a judgment as iniquitous, as if it had been openly purchased in court. Virtue is usually sapped and mined, not taken by storm. Put a man out of the reach of these insidious temptations, which do not call upon him to sacrifice his honor and integrity at once, and with full consciousness of what he is doing, but which beset and perplex the mind with the prospect of great ultimate good to be obtained by trifling and gradual deviations from the straight path, — put him away, we say, from these cunning enticements, and he will angrily repel the shameless rogue, who comes in the broad light of day to buy his conscience. When passion, or avarice, or ambition is tugging at the heart-strings, a man becomes a sophist to himself, and will try all the wiles of casuistry in order to varnish over the crime, and give it the poor semblance of virtue. Any one can resist Apollyon, when he comes in his proper shape, with horns and hoof, or as a grovelling snake ; but the cunning devil appears as a beautiful woman or a judicious friend, and the

poor dupe clasps him to his bosom and is entangled in the snare.

Now, the practice of the courts abounds with dangers of the very class which we have here described. Perplexed and difficult cases are continually rising, in which the rights of the respective parties are separated by the difference of a hair. So evenly does the matter lie between them, so doubtful is the rule of law to be applied to such an obscure and intricate question, that all the acumen of a sharp and vigorous intellect can hardly determine on which side equity and legal authority incline. Let self-interest, in the mind of the judge, put a feather into the balance, and it will turn the scale. He must be a poor sophist, in so nice a case, who cannot blind himself so far as to believe, that justice actually requires that decision which is most accordant with his own feelings and ulterior views. The constitution, therefore, wisely frees the mind of the judge from any anxiety respecting his own situation and support. He is made to feel, so far as is possible, that his post is a permanent one, not dependent on the will of a monarch, or the caprice of a party ; — that he is set to be the guardian of the laws for the good of the public, and not to waste his thoughts upon his private concerns. Being thus relieved from the carking cares, which too often vex and annoy men out of their integrity, and being chosen from that class, whose talents, learning, and character are a sufficient safeguard against gross and palpable violations of right, it is not strange that the reputation of the courts has so long remained unsullied. In England, we believe, not a judge of the higher courts has been removed by address of the two houses of parliament since the independence of her judiciary was established. In this country, not one member of the national judiciary has been arraigned at the bar of the Senate on any charge affecting his honor or integrity.

It may seem superfluous to argue in defence of that constitution of the courts of law, which has been so long approved by the experience both of England and America, and by the suffrage of nearly every political or juridical writer of any note. But the advantages resulting from it are so quiet and perennial, that they easily escape the attention ; and, in a free country, the mania of political innovation is so great, that without constant watchfulness, there is serious

danger lest the most important institutions of society should be tampered with, till their influence is weakened or their efficiency destroyed. A theory, under a specious name, may be allowed to supplant one of those time-honored establishments, which have ever afforded the best protection to the rights of the individual, and to the highest interests of the commonwealth. There are ominous signs in this country at the present day, which lead to some apprehensions of such a fatal result. The judiciary is attacked in some of the States, not only by diminishing the salaries of the judges, where it was possible, but by doubts openly expressed whether any institution ought to exist here, which is beyond the popular control. The opinion is plainly avowed, that the will of the people, for the time being, ought to be the only law, and that all restraints upon it, of whatever nature, should be done away. So long as such opinions and doubts were confined to the electioneering harangues of a few demagogues, or to the columns of a few worthless newspapers, they could not effect much injury, and did not deserve serious notice. But when they are found embodied in official documents, when the governor of one of the "old thirteen states" gives them place in his annual message to the legislature, it behooves the friends of free government and of the reputation of the country to be on the alert, and to arrest the evil, if it be possible, ere it is too late.

We know not that this question has ever been agitated between the great political parties which divide the country. Probably it has not been, and we fervently hope that it never may be. The independence of the judiciary is no subject for the common strife of faction and interest, — no topic to be debated in the heat of contest, — no material to be hammered out into "political capital." We know not even to which of the two great parties Governor Thomas belongs, and though this point might be determined in a moment, we have studiously abstained from asking the question. It is possible, that he has only published in an official way a doctrine which other persons, of equal respectability, have freely avowed and defended on other occasions. Be this as it may, we consider the doctrine as a dangerous heresy, and shall comment upon it with the utmost freedom, though without the slightest intention of trenching upon that class of political discussions, from which this Journal has always carefully ab-

stained. We quote the whole passage relating to this subject from the Annual Message of Governor Thomas, the title of which is placed at the head of this article.

“ We have in commission twenty-one common law judges and a chancellor, at an expense for their salaries of \$36,500 per annum. There can be no question, but that many of these officers are supernumeraries. We are now surrounded by States, in no one of which is to be found such an extravagant and ill-organized judiciary system as ours, and in all of which, the laws are still faithfully executed without complaint from the public as to their delay, and an absence of all protest by the judges in commission, against the imposition of duties too onerous to be easily performed. Indeed, there is not a State in the whole Union, notwithstanding the population of several of them is quadruple that of ours, where the number of the law judges, and the amount of their salaries, are not less than those of Maryland. New York, Pennsylvania, Virginia, and Ohio having, three of them, a population four times greater, and one of them a population more than three times greater than ours, pay respectively a less sum in the annual salaries of their judges than that with which our treasury is charged. The same States have each a superficies over which their laws are extended, more than four times as great as that of Maryland, and nevertheless have in commission a less number of judges. In the payment of unnecessary salaries to judges, since our system was framed, more than five hundred thousand dollars have been wasted. With these illustrations before us, of the effects to be expected from a reorganization of the system, so as to diminish sensibly its cost, we ought not to pause in the discharge of a high public duty, from any apprehensions as to the effect of such a proceeding on the interests and well-being of society.

“ Besides these objections to the system, another will be found in the fact, that no effectual means are provided in the Constitution, to get rid of judges once commissioned, as promptly as the public interests may sometimes demand. The tenure during good behaviour is found in practice to be tantamount to a term for life. A judiciary independent of all the evil passions that may influence, at intervals, the mass of the community, is certainly desirable. But it does not appear, that a tenure for life will, in itself, exempt the occupant of a seat on the bench from the possibility of feeling, in a greater or less degree, a sympathy in the passions that sometimes sway to and fro our popular assemblies. Observation compels us all to contest such a conclusion. A tenure for life is, and ought to be, a popular doc-

trine in Great Britain. Such a tenure there, may afford a safeguard to the people against the influence of the Crown. The commissions of the judges being granted by the king, a periodical reappointment would give to the sovereign a most dangerous power in the opportunity to dismiss all who were not willing to prostitute their offices to subserve his purposes, however tyrannical and unwarrantable. Here, we have no permanent or hereditary executive to dread. All our public functionaries, but the judges, return at stated periods, to their separate stations in private life, to give place to successors qualified to rule, by having been taught to obey. It is believed, that there can be found neither in our experience, where the life tenure of judges prevails, nor in the experience of several of the States of the Union, where all such distrusts of popular intelligence and integrity have disappeared, any good reason for adherence to a doctrine becoming daily more and more obsolete. There was a time when improvements in government were hard to make. Those who were interested in existing abuses could arrest innovations and changes by magnifying and misrepresenting the effects of a proposed reform. But it is time that such artifices should lose all influence on our deliberations. In the hope that full justice will be done to all the deep interests involved, the whole subject, without further remark, is submitted to the Senate and House, who are empowered to make such alterations in the fundamental law of the State, as may be required." — pp. 17, 18.

Passing over, for the present, the question about the comparative cost of the system in Maryland and some of the neighbouring States, we observe, first, that the distinction which is here attempted to be set up between England and America, in respect to the independence of the judiciary, does not now exist. In state trials, in the former country, the real prosecutor now-a-days is not the crown, but the ministry, and that majority in parliament and among the electors at large, by which the ministry is supported. The monarchy is become a pageant and a name, the direct will of the sovereign hardly influencing any thing but the appointments in his own household. The party that holds the reins of government for the time being, whether Whig or Tory, institutes legal proceedings against political offenders in the name of the sovereign, but really in its own behalf. That party holds in its hands the power and the patronage of the state, and, in its eagerness to defend and strengthen its position,

would wield these means effectively for the destruction of its most active opponents, if it were not checked by the independence and integrity of the courts. The most turbulent among the Chartists are tried and sent to Botany Bay, not by the will of the Queen, nor even by that of Lord Melbourne or Sir Robert Peel, but by the two great parties among the voters in the realm by whom those political leaders respectively are supported. The case is precisely similar in this country. The rights of a citizen are endangered, if at all, not by an ambitious and reckless president, or a corrupt cabinet, but by the passions and the strength of a dominant party in the Republic, which, while engaged in the hot pursuit of its favorite measures, recks not of the sacrifice of an individual among the crowd. Here, then, as well as in England, an independent judiciary is needed to protect the weak against the strong, — to guard the property, the interests, and even the life of a citizen, not against the arbitrary will of a single despot, but against the violence and recklessness of a more formidable enemy, an excited political party.

We speak here of “the rights of *a citizen*,” purposely avoiding the use of that convenient but vague abstraction, “the liberties of *the people*.” An aggregate must be composed of units; the population of a country is made up of individuals. True political liberty consists in the protection afforded to the rights and interests of each inhabitant, and not in allowing any casual aggregation of those individuals, which may form a majority for the time, to act its own pleasure at the expense of the weaker party. No one freeman is any farther interested in preserving the liberty of “the people,” than as he is himself one of the people, and expects that his own privileges and rights will be best secured by caring for the welfare and security of the whole body to which he belongs. Of course, we speak only of his *direct* interest in the state, for by affection or sympathy, by the ties of blood or patriotism, he is bound in unselfish attachment to all who breathe the same air, and tread on the same soil with himself. But his only *immediate* stake in the freedom and welfare of the people at large is his own property and life, and he hopes to secure these by doing his share in guarding the property and lives of his fellows. The liberty of the people, therefore, is only a means, while the freedom

of the individual is the end. If a man is cheated by one of his associates, or defrauded of his dues by a corporate body, or has his house burnt over his head by a mob, it is no consolation for him to be told, that the people, of whom he is one, are still free, — that they can still elect their own magistrates, and make and repeal their own laws. On the occurrence of one of these calamities or wrongs, he does not even appeal to the people ; he does not summon a town-meeting, and lay before the assembled citizens the story of the injury he has suffered ; but he goes to the tribunals of the law, cheering himself on the way by the reflection, not that the country is free, but that the judges are independent, and the integrity of the courts is sure. Within their walls, he knows that no undue or improper influence can exist, — that the party by whom he is aggrieved, whether it be an individual, a society, a political combination, or a mob, will there be powerless, and be compelled to make the compensation, or suffer the punishment, which justice requires.

With this view of the proper functions of a free government, believing that its only office is to afford a safeguard to the rights of every individual, we must maintain, in opposition to Governor Thomas, that an independent judiciary is even more necessary here than in England. *There*, the danger to any citizen, of suffering from the arbitrary will of the sovereign, is lessened by the existence of the many distinct orders and establishments in the state, the interests of one or more of which are probably linked with those of the person threatened, and their power is thus enlisted in his defence. King, Lords, Commons, the Judiciary, the Church, — it will be strange, indeed, if all these separate powers are combined for his destruction. In one or another, from community of interest, he will be sure to find sympathy and support. *Here*, nothing stands between the individual citizen and *his* sovereign — the majority of the people, — but the majesty of the law and the independence of the courts. Here too, as has been wisely remarked, “persecution, especially of a political nature, becomes the cause of the community against one. It is the more violent and unrelenting, because it is deemed indispensable to attain power, or to enjoy the fruits of victory.” The innocent may well tremble, if the power of the dominant faction is to extend by

influence even into the courts, — if the same party is to be not only the prosecutor but the judge.

Another function of the judiciary is to interpret and uphold the constitution and the laws ; and in this respect, also, the independence of the judges is more needed in this country than in Great Britain. The theory of her government is, that parliament, embodying the three estates of the realm, is omnipotent, and can pass any law that it sees fit, however impolitic, unjust, or tyrannical its character. Hence, though the judges may sometimes be called upon, as in the two cases already mentioned, to oppose some illegal proceedings of the legislature, it can never be required to declare, that any law properly ratified by the two houses is unconstitutional and void. In the case of *Wilkes*, for instance, the court of King's Bench decided, in opposition to the opinion of both Lords and Commons, that "general warrants" were not authorized by the principles of the common law, nor by any statute already enacted. But if parliament had thought proper to pass a new law, expressly authorizing them in future, the court could only have submitted, and have lent its aid to carry the new statute into effect. But in this country, we have a written constitution, expressly restricting the power of the legislature to certain subjects, and, even on those, confining it within certain bounds. If these restrictions are really to amount to any thing, if the constitution is to be worth any more than the parchment on which it is engrossed, then there must be some tribunal in the state which shall have the power of enforcing them, and of putting a final stop to legislative usurpation. This duty belongs to the courts, and they are consequently required at times to interpose a peremptory negative to the proceedings of the legislature. How could the judges be expected to execute this responsible and delicate task, if the legislature, as the first token of its displeasure, could deprive them of the larger portion of their salaries ? What would be the value of the constitution, if the department which has it in charge, and whose duty is to enforce its several provisions, were at the mercy of the two other departments in the state, whose rights and powers are defined and limited in these very provisions ?

But leaving the comparison, so frequently made, though generally deceptive, of English institutions with our own, it may be asked, on what grounds does the governor of Ma-

ryland invite the legislature to limit the judges' term of office. His recommendation is not coupled with any argument to show the necessity, or even the expediency, of the proposed alteration. He urges, indeed, — with what success we have already seen, — that the example of England ought to have no weight in America. But he does not show, that the practice both of England and America is faulty in any degree, or that it is productive of evils which might be avoided under a different tenure of office. After admitting, that “a judiciary independent of all the evil passions that may influence at intervals the mass of the community is certainly desirable,” he affirms there is no evidence “that a tenure for life will, in itself, exempt the occupant of a seat on the bench from the possibility of feeling, in a greater or less degree, a sympathy in the passions that sometimes sway to and fro our popular assemblies.” True ; but will a periodical reappointment to office lessen this evil ? Is it probable, that the judges will be more conscientious and inflexible in the discharge of their duties — more likely to confront an angry legislature or an excited populace, if their salaries and their offices are held only at the pleasure of those bodies whom they are expected to oppose ? Governor Thomas seems to argue, that because the judiciary under the present constitution is not entirely exempt from evil influences, it ought to be placed in a situation where it will surely be exposed to these influences in a tenfold degree.

Whence arises, then, we ask again, this anxiety “to get rid of judges once commissioned,” unless it be from the wish to increase the number, already too great, of those offices which the executive may fill and vacate at its pleasure, and thus satisfy the demands of its hungry partisans, and extend a corrupting influence through the whole body of the people ? Is it politic, is it desirable, that the judges of our national and state courts should hold office on the same terms as the postmasters and the collectors of customs, and be displaced as frequently as these have been during the past twenty years ? Earnestly do we deprecate such a change, for we know of nothing that would sooner shake the confidence of the people in the capacity of our peculiar institutions to protect the rights and promote the well-being of the persons for whom they are established. Let it once be fully understood, that an unpopular decision of the courts

will be followed by a prompt dismissal of the judges, and the legislature may as well abrogate the whole system of laws and judicial tribunals, and individuals bring their disputes with each other into a town meeting for arbitrament, and alleged criminals be arraigned at the bar of a popular assembly for trial. If the ultimate decision of all lawsuits and criminal trials, and doubts respecting the interpretation of the constitution, is to depend on a popular vote, let that vote be given directly and immediately on the subject in hand, and the whole cumbrous machinery of the courts, which now stands between it and its object, be done away.

There is a more specious argument for destroying the independence of the judiciary, which does not appear in the executive document now before us, though it is frequently urged in newspaper paragraphs and electioneering harangues, because it is better calculated than any other to make an impression on the unthinking multitude. It is founded on the doctrine that, in this country, the will of the people is, and ought to be, supreme in every respect, and no institution should be allowed to exist, which is independent of their authority. It is urged, that all our laws emanate from the people, and therefore should be referred for interpretation to the power which enacted them ; that the people are as competent to decide questions of law, as to select persons who shall make the decision for them ; and that a denial of this right and competency is a virtual impeachment of the constitution and the government under which we live. It is said, that the will of the people is usually made known only at stated times, and under certain forms, — as at elections, and by ballot or hand-vote upon questions regularly proposed ; but that these forms and seasons are adopted only for convenience, and the same power which required the observance of them may also dispense with it ; so that the popular will, however promulgated, shall form, for the time being, the supreme law, and the supreme exposition of the law.

This is all sophistry, and sophistry so gross, that one is almost ashamed to argue against it. The doctrine contained in it involves a denial of the superior advantages of society over the primitive and solitary condition of man, and a rejection of the forms and institutions by which alone the social state can be maintained. For its entire refutation, it would be necessary to go back to the theory which lies at

the foundation of all government, and to show that *laws properly so called*, of supreme authority and permanent obligation, are necessary to the very existence of the social union. We propose to enter into no such discursive argument, but only to adduce a few brief considerations to show the utter inapplicability of such a theory to the form of government now existing in the United States. It will be admitted, we suppose, that the popular will cannot change the nature of right and wrong, any more than it can alter the fixed relations of quantities to each other, or change the figures in the multiplication table. It cannot make injustice, cruelty, and oppression right in the eyes of God, nor remove the stamp of his approbation from holiness and virtue. The functions of "a court of justice" are indicated by its title. Its province is to decide between man and man as to the requisitions of that law, which is not the mere creature of human enactment, but which is written in the heart, and is binding upon the conscience, of every intelligent being. Its office is to do justice, and so far from listening to the expressions of public sentiment, it is bound to disregard, if need be, in the cause of duty and integrity, the opinions, the wishes, and the interests alike of individuals and of the state.

Now, the founders of our present frame of government, whatever may have been their intentions with respect to the amount of power to be lodged directly in the hands of the people, certainly did not contemplate the establishment of a republic or a democracy, which should exist without any legal enactments whatever. On the contrary, they created a legislature, prescribed the manner in which laws should be passed, defined the subjects to which they might relate, and established the tribunal by which they were to be interpreted and enforced. A law is, from its very nature, an inflexible and universal rule, that governs the conduct, and defines the rights and duties, of all persons subject to the law-making power, during the whole period of its existence. It is not an unchangeable rule for the future, because the same power which enacted may abrogate it, and put another in its place. But it is unchangeable in its application to all cases which have grown up during its continuance. Adopt, then, the most comprehensive and unlimited theory respecting the sovereignty of the people; say that they may frame what enactments they like, on all manner of subjects, or may even

annul all existing statutes, and live without law for all time to come. Still their power relates only to the present and the future. The past is fixed and irrevocable. The sovereign may enact or abrogate what rules it pleases to govern coming events and the future conduct of men ; but it cannot annul the rights, the contracts, and the expectations which have grown up under the laws that did exist. In respect to these, the government covenanted with every individual, and every individual with the government, that the statute should be respected and obeyed, *on condition* that it should be fixed and universal in its obligation. The price has been paid, and the fulfilment of the contract is demanded. Men have made bargains, and contracted obligations, and regulated their conduct, in strict conformity with the law. And they now require, that those bargains should be fulfilled, those obligations respected, and their conduct declared to be innocent, and not liable to punishment.

The business of the judiciary is to determine the rights and duties of individuals in conformity with previously existing laws. It does not, and it cannot, interfere with or limit the sovereignty of the people, because it neither claims nor exercises any portion of the law-making power. It deals only with the past ; it makes no laws, but only interprets and enforces those already made for it by another department of the government. Its decisions are binding for future cases, it is true ; but only because uniformity of interpretation is essential to that inflexibleness and universality which, as we have seen, grow out of the very nature of a legal enactment. And this stringent power of its expositions and decrees for the future continues only so long as the legislature or the people sees fit. A new rule of interpretation for new cases may be enjoined on the courts by the proper authority, with the same facility with which any new law may be passed for their guidance. But all previous cases must be determined by the old rule of construction, as settled by the courts ; since that was derived from the fixed principles of reason and justice, and the natural mode of interpretation, while the new rule is a matter merely of positive enactment. In short, the exposition of the law by the proper tribunals is to be deemed a part of the law itself, and equally imperative and unchangeable with it in reference to the past conduct of men. And it is clothed with these high attributes for the same

reason that the law itself is invested with them ; — that men may know what to expect, and how to govern their daily actions. The statute and the mode of interpreting it may be altered at pleasure by the law-making power in reference to future cases.

We now see the reason why the legal tribunals rightly claim to be considered as the fountains of equity, justice, and natural law, however arbitrary, impolitic, and even unjust, may be the usages and the special enactments which they are required to interpret and enforce. They are not responsible for the intrinsic merits or defects of these customs and laws ; that is the business of the legislature. They only unfold and apply the great principle of natural right, or law abstractly considered ; which is, that the actions of men must be judged, and their consequences determined, by a fixed law, promulgated at the time when those acts were committed, imperative and permanent in its obligation in reference to them, and definite and unchangeable in its application. To ascertain what this law is, and to apply it to the case in hand, is the high function of the courts. Public opinion cannot aid them in this task, for it is not within the province even of Omnipotence to recall the past, or to alter one jot of the eternal law of justice. The clamors of the multitude must be unheeded, for the judges are listening to a voice as awful as that which proclaimed the law in thunder from the top of Mount Sinai. It is of law thus abstractly considered, that the sublime language of Hooker hardly seems to contain an exaggeration, when he says, that “its seat is the bosom of God, and its voice is the harmony of the world.”

Enough has been said to show the entire absurdity of the doctrine, that because the people have the power to make the law, they have also the ability and the right to expound and apply it as they please. An uncertain and shifting exposition of legal requisitions and commands is as bad as the absence of all law ; it destroys confidence between man and man ; it annihilates all trust in the future ; it exposes the innocent to continued and cruel apprehensions of danger, and it comforts the guilty with the hope of escape from merited punishment ; it has been the characteristic feature of the most oppressive and tyrannical governments of which there is any record in history. But waiving the farther consideration of

the doctrine in its full extent, as leading evidently to such pernicious results as to require no other refutation, it may be worth while to look more particularly at the minor inconveniences, which would follow the adoption of any portion of the theory. We say, then, that the people ought not merely to abstain from taking the law into their own hands, and giving a perfectly arbitrary exposition of it, but to guard the courts, so far as may be, from all extraneous influences ; in other words, to make the independence of the judiciary as complete as possible. This duty results from the peculiar nicety and complication of the inquiries which the judges are obliged to make, the number and importance of the interests which they have in charge, and the general difficulties of their task. Their functions are not to be exercised by any person of common information and a clear understanding, nor by any mere sciolist in the law. They require deep study, and long and careful preparation. We have seen what a broad ground is necessarily covered by the labors of the jurisperit, and what a vast accumulation of rules, usages, and special enactments he is obliged to ponder over and comprehend. For every doubt or cause of dispute that may grow out of the infinitely varied transactions and interests of men, he is to extract from this mountain of authorities a determining principle, directly applicable to the case in hand, by which it may be adjudged in strict conformity with the requisitions of justice and the previous expectations of the parties. Who will venture to come in haste, with his loins ungirded, to such a task ? Who will undertake to perform it, when distracted between the clamorous expression of public opinion, the necessities of his own situation as dependent on a salary and an office that may both be taken away at the will of the multitude, and the still but powerful voice of conscience, and the known purport of the law, both requiring him to disregard the other disturbing causes, and to keep fast his own integrity ? *They* tell him, that he is bound to pay as little heed to the will of the citizens as to the menaces of a single tyrant ; that

“Non civium ardor prava jubentium,
Non vultus instantis tyranni”

must shake his rooted purpose.

The selection of competent persons to fill the various offices in the judiciary is one of the most important and

difficult tasks to be performed in a republican country. In most of the States, as well as under the national government, the judges are appointed by the executive, subject to the approval of a council, or of one branch of the legislature; and this is undoubtedly the best mode, as the responsibility of making a proper selection is thrown, in the main, upon one person, and there is the least chance of foreign and improper influences being allowed to direct the choice. As the responsibility is divided, and personal or other wrong motives are allowed to bear sway, there is greater probability that unwise appointments will be made; as in some of the States, where the judges are chosen by the legislatures, and even, in a few instances, by the people. Here is no question about the comparative wisdom and integrity of the executive, the legislature, and the people. The same man who, as one member of a large body, would give his vote, and strive to secure the votes of others, for a friend, a relative, or a member of the same political party, though known to be poorly qualified for the station, would, if the responsibility were thrown entirely upon himself, most scrupulously avoid these very ensnaring influences, and scrutinize the pretensions of a candidate with the more care and jealousy, because he suspected himself of entertaining some personal bias. He would know that the eyes of men were upon him, watchful to detect any sinister motive, and that the consequences of any improper choice would redound entirely to his own discredit. Nor does the method which we here recommend constitute any departure from the true republican principle, that elections ought to be made by the body of the people. This principle applies only when the choice is to be made *from* the body of the people; that is, when the office is such, that a man of any class or profession, without previous study or professional training, is competent to fill it. We choose a lawyer, a physician, a military man, a merchant, or a mechanic, indifferently, to be a governor or a legislator, knowing that the question of his competency depends very little on his previous avocations, and of his general character all the world can judge. But the law, as we have seen, is an abstruse and difficult science, requiring many years of study and practice for its mastery. In general, only members of the bar are candidates for situations on the bench, and of their respective qualifications,

one person, in whom the people have so much trust that they have already confided to him an important office, is a more competent judge than the people themselves, — especially when he is held to a strict responsibility. It would be even more unwise to confide the appointment of the judiciary to a numerous assembly than to choose the physician of a hospital, or the captain of a ship, by a popular vote. It is true, the mass of the people know nothing about physic or seamanship; but if they did make a poor selection, the evil would be felt only by the patients, or by the passengers and crew; whereas, the hurtful consequences of the blunders or the crimes of an incompetent or a dishonest judge in office are thrown broadcast upon the community, falling most severely upon the electors themselves.

But one other question remains to be treated in connexion with this part of our subject, and that concerns the amount of salary to be allowed to the judges, and the possibility of diminishing it while they continue in office. In regard to this last point, we may say, that it is vital to the independence of the judiciary; for if the salaries may be reduced at pleasure by the legislature, the judges are quite as much at its mercy, as if they were subject to the chances of a periodical reappointment to office. It is mere mockery to retain a provision in the constitution, which requires that they shall hold office during good behaviour, when another department of the government may at any time deprive them of all means of support by reducing their compensation to a nominal sum, and thus render their continuance on the bench impossible. It being self-evident, that the provision would be made wholly nugatory by the assumption of such a power on the part of the legislature, to argue the matter any farther would be only to repeat all that we have said in favor of the entire independence of the tribunals of justice.

In reference to the amount, it needs only be said, that the salaries should be honorable, and sufficient to insure the highest degree of legal knowledge, ability, and character, which the bar of the place can afford. It cannot be expected, that eminent lawyers will sacrifice large professional gains for the sake of a seat on the bench, if the change does not bring with it compensation enough to support them in their usual style of living, and to maintain the dignity of the office. The standard, of course, varies in different places. The

income from his profession, of a distinguished practitioner at the bar, in one of our large cities, often exceeds ten thousand dollars a year, while that of a country lawyer may not be one thousand. Vermont and New Hampshire, therefore, can support a judiciary at less expense than New York and Massachusetts; for the salaries of the judges will naturally be proportioned to the profits of the lawyers, and as there are no large cities in the former States, both the bench and the bar are contented with comparatively small incomes. It may be added, too, that in these cases, from the limited amount of legal business created by a small population, mostly agricultural in their pursuits, the labors of the judiciary are lighter. At any rate, by offering a moderate salary, the government can command the highest legal ability to be found in the State. At Boston and New York, in order to attain the same end, it must bid higher. The necessities of the State are greater, the business of the courts larger and more important, and proportionally high inducements must be offered, before eminent practitioners will quit lucrative employments for the sake of a title and an office.

In the executive document now under review, Governor Thomas complains, that "there is not a State in the whole Union, notwithstanding the population of several of them is quadruple that of ours, where the number of the law-judges, and the amount of their salaries, are not less than those of Maryland." We doubt the truth of this assertion;* but if it were well founded, it would be not at all to the purpose. Baltimore is a city of great population and commerce, where the professional earnings of eminent lawyers are probably very great, and the State is obliged to offer them high sala-

* From the latest authority, "*The American Almanac for 1844*," it appears that New York, not reckoning her courts of Common Pleas, has twenty judges, and pays them about \$44,000 per annum; Virginia, in her Court of Appeals and Circuit Courts, has twenty-seven judges, and the aggregate of their salaries is \$46,550; and Pennsylvania, in her Supreme Court, District Courts, and Courts of Common Pleas, not counting the Associates in nineteen districts, has thirty-five judges, whose salaries amount to more than \$75,000. According to Governor Thomas's own statement, Maryland has but "twenty-one common law judges and a chancellor, at an expense for their salaries of \$36,500 per annum"; and yet he affirms, that "*New York, Pennsylvania, Virginia, and Ohio* pay respectively a less sum in the annual salaries of their judges than that with which our treasury is charged!" We might adduce several other States, in which the expense of the judiciary is greater than in Maryland; but the above specimen of the Governor's accuracy is quite sufficient.

ries before they will abandon their lucrative practice. And it can well afford to do this, considering the magnitude and importance of the business which comes before its judiciary. Ohio has no city the population of which is one half so great as that of Baltimore ; and considering the scattered situation and agricultural pursuits of the great majority of her inhabitants, it is quite probable, that her courts may be maintained at less expense than those of Maryland. It is doubtless true, that, in any State, men may be found who will accept a situation on the bench with no higher wages than those of a common ploughman ; but the duties of the office would certainly be performed by them in a ploughman's fashion. Are the people willing to trust the decision of cases in which their property, their reputations, and even their lives may be concerned, to courts constituted in this fashion ? Is it desirable, that, in all the States, as is notoriously the case in one or two already, such appointments should be made as to render the bench an object of contempt and derision to the bar ? If not, then the small portion of the annual income of the government which is devoted to the support of the judiciary must not be grudgingly given, and the salaries of the judges must rather be increased than diminished.

We need not apologize for the length of our remarks on this subject, as there is especial reason for considering it at the present day. The financial embarrassments, under which the country has suffered for some time, have induced several of the States, during the past year, to curtail to a considerable amount the sum annually paid to their judges, and a serious injury has thus been inflicted on their judiciary systems, the evil effects of which will be felt for a long period. Pennsylvania, Alabama, Louisiana, Arkansas, and Kentucky have recently effected a paltry saving in this way ; and the legislature even of the rich State of Massachusetts, with a population of three quarters of a million, and property which was assessed two years ago at three hundred millions, while the aggregate annual expenses of the government are considerably less than half a million, deemed it necessary, at its last session, to save the miserable sum of four thousand dollars a year, by cutting off about one seventh from the salaries of all the judges. Divided among the population, this saving amounts to half a cent a head ; and for the sake of this poor pittance, the legislature has demolished at a blow the very

foundation of the independence of the judiciary. And it has done this in the face of a provision in the State constitution, which requires, that the judges "shall hold their offices during good behaviour," and shall receive "honorable salaries *ascertained and established by standing laws.*" As at one session it has taken off one seventh, at the next it may remove five sevenths, of the salaries, and thus the whole body of the judges may be driven from their posts. If this measure is sanctioned by the people, we hope, for the sake of consistency, that the language of the constitution may be altered, so that this clause shall affirm what is now true, that "the judges hold office *during the pleasure of the legislature.*"

These and similar measures are adopted from the supposed necessity of conforming to the theory of our political institutions by establishing the supremacy of the people on every point, and diminishing the amount of taxation in every possible way. Away with such a mean and baseless scheme of political philosophy! It is not true, that the people desire to have arbitrary power put into their hands, to be used against the requisitions of justice, or that their own burdens should be lessened in an insignificant degree by taking away the freedom and dignity of the legal tribunals. The financial prosperity of a state depends as much on the reputation of her courts of law, as on the funds in her treasury. "Public credit," says a vigorous writer, "is wealth; public honor is security. The feather that adorns the royal bird, supports his flight; strip him of his plumage, and you pin him to the earth." Not to uphold the common credit by a watchful regard for the common integrity, is to sacrifice the highest interests of the state, and to throw a reproach on the republican name. It is to build up unjust and arbitrary power under the deceitful semblance of a democratic institution. If the judiciary is to be spoiled of its honor and its independence, if the security of property, and the rights of a citizen, are to be made the sport of popular caprice, if the country is to be subjected to all the evils of an uncertain and changeable exposition of the law, it had been better for the people if the Declaration of Independence had never been signed.

ART. VII. — *Was ich erlebte, aus der Erinnerung niedergeschrieben*, von HENRICH STEFFENS. (*My Experience — written from recollection*, by HENRICH STEFFENS.) Breslau ; bei Josef Max und Komp. 1840 — 2. 6 Bände.

THIS is a work of great and varied interest. In the enjoyment of a green and cheerful old age, his memory still unimpaired, his imagination yet buoyant, and his feelings having lost hardly any of the fire or the elasticity of youth, the venerable author sat down to sum up the results of a life, which stretches back as far as the year 1773, and which has been filled with a great variety of incident. In childhood, he listened to the stories of those whose memory extended over the whole range of the eighteenth, and even into the seventeenth century. His birth occurred but ten years after the conclusion of the seven years' war of Prussia ; and thirteen before the death of the great Frederick. He was rocked in the cradle at the same time with Tieck and Novalis ; learned his letters with Hegel and Schelling ; and was sleigh-riding over the widely spread snow-plains of Norway, when Napoleon was firing off his mimic cannon at Ajaccio. The boy was old enough to empty his bowl of punch on the joyful occasion, when the flags flying at the mast-heads, and the cannon roaring from the decks of the battle-ships of almost every nation, then at anchor in the roadstead of Elsinore, proclaimed to the sympathizing friends of liberty, that the independence of the United States of America had been acknowledged by George the Third. He was sixteen years of age, when his father returning home one day, his countenance flushed with exultation, and his eyes bright with tears, announced to his assembled children the opening, at Paris, of that great European drama, which, as he then fondly hoped, would for ever unloose from their necks the yoke of aristocratic tyranny, and open before their youthful feet the path to golden fortunes.

Born in Norway, educated in Denmark, and, for the greater part of his life, a subject of Prussia, the interests and sympathies of Steffens have been closely allied with the fortunes of three different lands ; and at a period when the most important changes passed over their institutions and

their destinies. His history is accordingly connected with such events as the battle of the Baltic, the elevation of Bernadotte to the united thrones of Sweden and Norway, and the fall and resurrection of Prussia. The early part of his education fell under the old *régime*; but his later culture was subjected to the various revolutionary influences, — to the altered opinions and habits of the new order of things. He grew up the contemporary and friend of those gifted spirits that formed the famous Jena circle, — Goethe, Schiller, Fichte, Schelling, Tieck, Novalis, and the Schlegels; and during the course of his prolonged life, he has witnessed the early growth, and now, perhaps, nearly the last development, of the literature and art of modern Germany. In the great literary movement of the Germans, Steffens himself has borne no unimportant part. His numerous contributions to physical science, and his highly popular novels, have given him rank among the most eminent authors of his times. At present, he holds the offices of professor in the University of Berlin, and counsellor to the king of Prussia; and adorns his conspicuous station with the graces of elegant manners, entertaining and instructive conversation, and the lustre of a pure, generous, and manly character.

Henrich Steffens was born of Danish parents, on the 2d of May, 1773, in Stavanger, on the western coast of Norway, — a place where formerly were performed, according to Snorro Sturleson, the Herodotus of the North, some of the most celebrated feats of Scandinavian heroism; but which, at the present day, is less poetically known for its success in the herring fishery. In his third year, his father, with the hope of carrying on the practice of medicine to greater advantage, removed his family to Trondheim, where Hakon Jarl anciently bore sway, and Saint Oluf introduced Christianity, — giving his name to a church, historically the most important in Norway, and, in an architectural point of view, one of the most remarkable in Europe. This church, the burial-place of the old Norwegian kings, made an indelible impression on the boy's imagination; but not greater than that produced by the fortress of Munkholmen, perched upon the summit of a rocky island in the bay of Trondheim, in which had formerly been confined the great Danish lawgiver, Griffenfeld. So many stories had been told to the child of the greatness of the illustrious prisoner, and so closely had

he associated his name with the rugged fortress, its towers often enveloped in mists, and its granite foundations ever vexed by the waves, that, during his four years' residence in Trondheim, he never could get rid of the strong impression that the great legislator was still there. Facts like this show how naturally the belief springs up among the uncultivated, that particular places are haunted by the spirits of the departed.

The next change of his father's residence brought young Steffens to Elsinore, in Denmark. This place, rendered classic by Shakspeare and Campbell, is situated on the southern shore of the Cattegat. From the heights above the town, the houses, which are compressed into two long streets running parallel with the shore, appear to be swimming upon the water. Bridges run out from the town far into the shallow waters of the Sound ; and upon these, by means of boats, are landed the cargoes of the ships that lie in the roadstead. A level beach, also, stretches out into the midst of the turbulent waves of the Cattegat ; and upon a "wild and stormy steep," rise the gray walls and strong towers of the castle of Kronburg. The heights in the rear of the town are ornamented with pleasure-gardens, and by the royal palace of Marienlyst. On the other side, in the distance, are seen, boldly projecting into the Sound, the mountains of Sweden ; while between these and the Danish coast, are constantly passing the ships of every nation. To the southwest, the island of Hween rises proudly from the water, showing the ruins of the castle and observatory of Uranienburg, the residence of the famous Tycho Brahe. A larger number of vessels pass through the Straits of Gibraltar than through the Cattegat ; but Gibraltar and Ceuta lie nearly twenty miles asunder, so that the ships which here enter the Mediterranean are lost in the distance. But the Sound at Elsinore is only between two and three miles in width ; and as there are shoals on the Swedish coast, vessels are compelled to sail near to the shores of Denmark. At Elsinore, also, without being jammed together, as in the famous harbors of Bordeaux and Marseilles, or upon the Thames at London, or the Elbe at Hamburg, the numerous vessels have ample space for lying at anchor.

Steffens was delighted, in calm summer mornings, to survey the scene that, from his chamber windows, lay spread

before him. The sun, rising above the dark coast of Sweden, gilded the surface of the tranquil waters. In majestic repose lay the royal guard frigate ; around slept upon the quiet deep ships of every size and country ; while over all was thrown the half transparent veil of morning mists. Silence reigned over the scene. Then suddenly were heard the morning bells from a hundred vessels ; at the same time, the cannon of the royal frigate sent forth a morning salutation, and the smoke of the guns curled slowly up into the air. During the day, both the shipping and the town were full of animation. Men from almost every clime hurried through the streets ; boats propelled by oars or sails were moving in all directions ; now were heard the songs of the crews discharging the cargo ; then the fortress received or returned the salutes of foreign squadrons, or single ships that sailed through the Sound. At evening, as the last rays of the sun lingered upon the flags at mast-head, and the hum of business had subsided, the evening bells rang again together, and the guns of the royal frigate pealed out their hoarse, gruff vespers.

Though a precocious child, Henrich learned less in school, at this period, than at a neighbouring landing-place, frequented by fishermen. Here the boats were drawn up, and the nets spread out to dry ; hence the fishermen sailed merrily out to sea ; and hither they returned with well-laden boats. Henrich played with the wild fisher boys and girls ; wrestled and bathed with his schoolmates ; or roamed with them along the shores and over the fields. Being petted by the sailors, he soon made his way to the ships that lay off Elsinore, became familiar with all parts of both vessel and rigging, inquired into the nature of their cargoes, listened to "fore the mast" descriptions of foreign ports, and sailors' stories of life at sea. This fondness for roaming about with rough companions, and living in the open air, was favored by the father, who, being by nature of a violent and headstrong disposition, and, from poverty, discontented with his lot in life, held the opinion that it was best for boys to learn to help and defend themselves, instead of disqualifying their minds, by bending all day over books, for ever learning any thing from real life. Being fond of bathing in the coldest water, he was in the habit of putting his boys, as early in the season as April or May, into a hogshhead, and then pumping

cold water upon them. During the winter, when the snow was lying in the court-yard, they were accustomed to run out and roll themselves naked in the snow. When Henrich was but four years old, his father threw him into the water, giving him his choice either to sink or swim ; so that the art of swimming was learned almost as early as that of walking. To punish his children, whenever they committed a fault, the father could not find time, but ordered the maid to note all gross improprieties of behaviour, and when a sufficient number had accumulated, a general trial day was appointed, and sufficient chastisement was inflicted for all the offences at once.

But in spite of the roughness of his life out of doors, young Steffens often sat quietly at home, for hours together, over his book, absorbed in dreamy thought. Like his mother, he was mild and affectionate in his disposition ; and when promoted to the Latin school, was one of the most studious pupils, until, by an unmerited blow, his teacher developed the first feeling of bitterness in his heart, and drove him out from the paradise of his childhood.

It was during the residence of Steffens in Elsinore, that the American war of independence was ended ; and we are happy to hear from our author of the joy which this event called forth in that distant seaport. Even in that small and retired place, there were many hearts that beat high when it was announced, that the cause of liberty in the New World was victorious. The storm which had raged upon the American coast, heaved across the Atlantic a mighty swell, and, after tossing its spray against the white cliffs of England, and greeting with its murmur the sunny coast of France, broke at last upon the distant shores of the Cattegat, and kissed with a gentle ripple the beach of Elsinore.

“ I was sufficiently instructed,” says Steffens, “ respecting the importance of the war in North America, to interest myself with my whole soul in favor of a people who fought so bravely for freedom. Among the great men of that time, who attracted my attention, were Washington and Franklin ; and the application to the latter of the line of Juvenal (?)

‘Eripuit cælo fulmen sceptrumque tyrannis,’

produced a deep impression upon my imagination. The heroic Washington excited my wonder ; but the lot which appeared to

me most to be envied was that of Franklin, who, born in an humble family, had become a celebrated writer and philosopher; and being at that period a representative of his struggling country, attracted the admiration of the most gifted men of his time. There were, indeed, few young men of cultivated minds then living in the peaceful kingdom of Denmark, who did not espouse the cause of the Americans. The opinions of my father kept alive, as they had at first awakened, the sympathies of his children with the cause of freedom. It was this war which cast the glowing spark of liberty not only into France, but into all lands of the civilized world, where it was afterwards fanned into the fires of the Revolution. And it was, therefore, interesting to observe how this enthusiasm for freedom was cherished in the quiet family circles of distant and peaceful countries; and how the imagination of glowing youth intimately associated their own private fortunes with the future destiny of Europe and America.

"I remember still very distinctly the day when the establishment of the peace, which confirmed the victory of struggling freedom, was celebrated in the town and roadstead of Elsinore. On the evening before, we began to look forward with great eagerness to the coming morning. The day proved to be a beautiful one; the roadstead was filled with the ships of all nations, and among them were several men-of-war. All the vessels were in their festive attire. Flags and streamers waved gently in the wind from the sterns, the bowsprits, and the rigging of the assembled fleet. This unusual display, the cannonade from the men-of-war, and even from every merchantman that happened to have a gun or two, and the rejoicings of the crews who filled the decks, made a holyday for those on shore. My father had invited a company of guests, who entered into animated conversation upon the victory of the Americans, and the cause of freedom in all lands. A presentiment of the great events that were to follow in the train of this important victory seemed to fall upon the minds of the rejoicing company. The time appeared as the friendly morning twilight of a bloody day in history.

"Our father wished to cherish in us the love, then feeble and limited in our young minds, for civil liberty. Accordingly, contrary to custom, we were called into the parlour, where we were instructed respecting the object of the festivities of the day, and were invited to drink to the rising fortunes of the new republic. In our garden, a Danish and an American flag floated in the breeze; a small mortar was thrice discharged; our glasses were filled with punch, and to our infinite delight, we were allowed to hurrah with our parents for liberty and America."

From Elsinore, when Henrich was eleven years old, his father was called as regimental physician to Roeskilde. In this quiet spot, on the woody shore of the Cattegat, where from his chamber windows he could count almost as many church towers as there were masts in the busy bay of Elsinore, and where the still life of the husbandman among the fruitful valleys and hill-sides appeared so unlike the bustle of a seaport, young Steffens cultivated that enthusiastic love of external nature which became a characteristic feature of his mind, and gave a direction to the whole course of his future life. In this place, also, once the splendid residence of the Danish kings, the walls of which had been witnesses of the great events that made Denmark illustrious, and whose cathedral, erected in the middle ages, and containing the consecrated tombs of the Scandinavian monarchs, is the most remarkable church in the country, — was awakened in the mind of the young scholar his first interest in historical studies. Literature, too, engaged his attention ; and it is somewhat remarkable, that “ Tom Jones,” his favorite novel, should not only not have tainted the purity of his mind, but, on the contrary, have exerted a strong and beneficial influence in the formation of his character.

In Copenhagen, whither his parents removed from Roeskilde, Steffens had the misfortune to lose his mother. Descended from one of the most respectable families in the country, she was distinguished for her beauty, was of a happy disposition, and grew up the favorite of her parents. Marrying Dr. Steffens, however, with nothing but his personal attractions to recommend him, she was neglected by her relatives, and, becoming an invalid after marriage, was recollected by her son as pale and emaciated, though with features the most delicately feminine, and eyes in which shone the purity and mildness of the heaven to which she soon ascended. A gentle word from this pious mother was sufficient to calm the storms of passion to which the son was sometimes subject ; her instructions preserved him from vicious courses ; and her good example nurtured in his heart the most beautiful, as it was the simplest and most natural, form of piety. Endowed with a healthy body and a sane mind, his religion was, at no period of his life, of a character to make him either melancholy or sanctimonious. It restrained his passions, without eradicating them. Alike opposed in its spirit to

pharisaical formality, to theological dogmatism, and to that vapid sentimentality which lacks the strength to grasp firmly any fixed principles of belief, and weakly lets go its hold of all established forms of worship, it was free both in opinion and practice without being lawless, and was of the highest spiritual character without any approach to effeminacy.

Copenhagen is acknowledged to be one of the most beautiful cities of Europe. From the neighbouring heights of Friedrichsberg, one sees below him the entire town with its towers and palaces. A forest of masts rises from the harbor beyond ; the wide Sound is gay with ships ; near by, Hveen and other well-wooded islands float upon the beautiful water ; and stretching away in the distance lies the coast of Sweden. The city itself is the Paris of Denmark ; and Steffens was suddenly ushered from the still, religious life of Roeskilde, into a world of varied fascinations and strong excitements. The change, by bringing at once before him such a number of new objects and varying scenes, seems to have produced an almost bewildering effect upon his mind ; and created in him an extraordinary excitability of temperament, not unlike the restlessness of the Cattegat, upon whose wild waves he had been so often tossed in boyhood. For several months after his arrival in the city, and at an age when young men of talent usually strive to translate themselves into the heaven of poetry and speculation, he devoted himself to the study of the prose of real life. He spent much time in the streets, observing with eager eye the variegated life of the inhabitants, the turmoil of business, and the shows of pleasure ; and listening with greedy ear to the songs of the street-minstrels, the cries of the Jews who sold old clothes, and of the pretty girls who offered flowers, the sound of bells, the roar of carriages, or the martial music that enlivened the daily military parades. All these things were noted by the excited mind of the young man, and supplied his fancy with the means of picturing to himself — a practice to which he was much addicted — the different conditions of human life, and the great diversities of human character. He here saw the world, improved his powers of observation, and collected a fund of knowledge quite as valuable, perhaps, as that which is acquired at school.

The Danes, like the Germans, are fond, on a pleasant afternoon, and especially on holydays, of making short pleas-

ure excursions into the country. Parents go out with their children to take tea at some of the houses of entertainment, with which all the large towns are surrounded ; small parties are formed to ride or walk to some neighbouring spot of interest ; and friends in couples stroll forth to enjoy conversation in the fresh air of the suburbs. These cheap pleasures, which young Steffens often enjoyed in company with his father and brothers, are highly relished by all classes of the people ; and conducive as they are to health and a cheerful enjoyment of social life, they can hardly be too highly estimated. The following picture gives us a view of one of the larger popular festivals ; though of some of its parts we can hardly speak in terms of commendation.

“The spot where the greatest crowd assembled from the city, at this season, lies in the midst of the great park which stretches from Copenhagen along the shore, in the direction of Elsinore. There, under the shade of trees, in the neighbourhood of a fountain famed from early times, and with the origin of which a beautiful legend is connected, were erected a large number of tents, that, from St. John’s day to the 14th of July, were filled with visiters from the capital. During this period, small carriages of basket-work, with three seats, might be daily seen leaving Copenhagen for the scene of the popular festivities. Even the poorest families grudged not the expense of riding out of town in one of these vehicles. The high road swarmed with carriages and persons on horseback. In the park itself, all was in motion. On every side were heard songs ; the larger tents sent forth a flourish of trumpets ; and in the smaller ones, hand-organs, at that time novelties, and violins discoursed indifferent music. The common people expressed their delight in loud shouts and laughter, after their own fashion ; and in the midst of this chaos of sounds, surrounded by the exulting populace, one might see many families of the higher classes — gentle dames and lovely maidens. These had come from the country seats and pleasure houses in the neighbourhood ; and alighting from their carriages at a little distance from the tents, they walked about for a short time, mingling as spectators in the wild and unrestrained rejoicings. Here were all kinds of refreshments, — puppet shows, juggling, rope dancing, and sometimes menageries. Those persons who devoted themselves exclusively to the pleasures of the tents, and remained in them at night, belonged to the lower classes. When the weather was warm and clear, they slept for a few hours in the open air, under the trees ; when it

rained, they were huddled together in the narrow tents. The young men of ampler means caroused in booths furnished with better accommodations.

“I know of no other city that celebrated so many holydays in succession, and in the same place. These festivities often assumed, indeed, a coarse, and even offensive, appearance; but there were always many families that went out merely to enjoy the beautiful country at that delightful season. In the forest, where it borders on the shore, as well as where it rises to the hills, one might see family parties assembled under the trees. Groups of persons, seated round a clean table-cloth spread upon the grass, partook of the food and wine they had brought from town; cheerful songs alternated with sprightly discourse; and the wood resounded with merry peals of laughter. Free from care, these happy mortals, while the birds sang in the branches and the sunlight slept in the tree-tops, nestled like children in the bosom of their fair, fruitful mother earth.”

In the whirl of town excitements, which lasted six months or more, much of the peace of mind that Steffens had enjoyed at Roeskilde was lost; and afterwards, upon his entrance into the university, the religious enthusiasm he had experienced in the country was compelled to give way, in a measure, to an absorbing passion for science and literature. To his studies he devoted himself with great diligence and success, until they were suspended for the purpose of taking a situation as tutor in a private family in the country. This place, however, he held but a short time, though long enough to convince his patron, that a genius was a most unfit person to teach children to read, write, and cipher, — and long enough, also, to learn for himself, even if he taught his pupils nothing, some sad lessons from the book of human experience. Returning to the university, he was maintained in the house of a kind-hearted uncle of the maternal line, and by him was introduced into the best literary society of the place. During his university life, English and German literature occupied a portion of his leisure hours. He seems to have derived no little benefit, also, from the theatre, which at that time was well conducted; he belonged to a society of literary gentlemen, who gave theatrical representations as amateurs; and even joined, for a short season, a company of players, somewhat after the manner of Wilhelm Meister.

The manners and habits of the Danish students, in the

latter part of the preceding century, were not unlike those of their brethren in Germany. They were fond of convivial entertainments, at which the song rang cheerily, and the wine-cup was sent briskly round. The students at Copenhagen, however, never descended to that hirsute vulgarity of manner, and bestial sottishness of habits, of which the German Burschen, as they puffed at their long-tailed pipes, and gulped down mighty potations of strong beer, so shamelessly made their boast.

In one of the literary clubs to which we have alluded, Steffens frequently met the celebrated sculptor Thorwaldsen. The appearance of this gifted man, at that time, is described as being in the highest degree prepossessing. His features were remarkably regular, his manners were quiet, the enthusiasm with which he spoke of subjects connected with his art fascinated the hearer, and his slender and almost plastic figure showed that nature had conferred upon him, not only the divine power of forming beauty, but beauty of form itself.

Having now attained his majority, our author was sent into Norway by a society for the promotion of the study of Natural History, to extend his practical knowledge of botany, zoölogy, and mineralogy. He had for years longed to visit his native mountains; and now, being supplied with a small sum of money, he commenced, with mingled hopes and fears, his first travels. Arrived in Bergen, though already nearly out of funds, he contrived to make his way into the best society of the place, and prosecuted his mineralogical studies in the adjacent mountains. While in this city, although he had already formed the design of exchanging the profession of divinity for that of letters, and had not been in the habit of speaking from the pulpit, he preached a sermon that, by its eloquence, had great effect in the city, and, by its liberal sentiments, attracted the disapprobation of the authorities.

He soon left Bergen, in order to make some zoölogical investigations among the islands on the coast. Here his zeal for science led him to encounter considerable perils, and to undergo many hardships. His fare was often reduced to bread and water; he was frequently compelled to pass the night in the filthy huts of the islanders; and sometimes, when on excursions with the fishermen, after having listened to their evening hymns and prayers, and having gazed for

hours into the brilliant skies of those northern nights, where the twilight lasts till morn, he lay down to be rocked to sleep in the cradle of his open boat.

On one of the islands off the coast, our traveller witnessed a bridal ceremony, an account of which we translate, as illustrative of the manners of the rude inhabitants of those remote regions.

“We descried on the open plain a small wooden church, surrounded by a large number of peasants. On our arrival, I was introduced to the priest, a middle-aged man of lively temperament and coarse manners. He invited me to attend the services, and introduced me to the bridal pairs, who, standing together, formed quite a large company. The brides were arrayed in a costume, the fashion of which had probably remained unchanged for a century or two, and which struck me as being not a little singular. They wore a black dress, silver or gilt chains around the neck, and gilt crowns upon the head. Most of them had coarse, plump figures, and were highly embarrassed and awkward in their movements.

“Drums were heard among the crowd about the church, and guns were frequently fired in honor of the day. A young man stole up to the company with whom I was conversing, held the barrel of his gun above our heads, and fired in such close proximity to my ears as to make me for some time quite deaf. This was intended as a mark of respect.

“The brides were now led into the church; the preacher followed; and the building was immediately crowded. The preacher took his stand, in a careless, irreverent manner, before the altar, and one bridal pair after another was conducted before him. The marriage forms and the not very short exhortations were eleven times repeated — the speaker frequently interrupting himself to scold the peasants, and give them directions for keeping or restoring order. After getting through with five or six pairs, he suddenly turned round to me, who sat near by, and cried out, as he wiped the perspiration from his forehead, ‘This is unendurable; hand me the Madeira; you will find the bottle under the bench.’ As there was no glass there, I handed the bottle itself. This he raised several times to his mouth, returned it to me, urged me to drink likewise, exclaimed good-naturedly ‘This strengthens a fellow,’ and continued the ceremony. For my part, I thought that what could be done without offence by the pastor, would be surely allowable in me; and, indeed, the pestilent atmosphere rendered such a refreshment absolutely necessary.

“The marriage ceremony had lasted at least several hours, when at last the preacher ascended the pulpit. His sermon was pronounced in as *nonchalant* an air as had been the preceding services. He inveighed with great zeal against rationalists and heretics of every description, — Atheists, Deists, Armenians, Socinians, and Pelagians. At last, to my utter amazement, suddenly turning round, he directed his discourse to me personally, as if I were not altogether free from the offence of unbelief. All eyes were of course fastened on me at once; and I had reason to fear, lest I should be looked upon by the assembled congregation as no better than the heretics just anathematized. The audience showed no signs of being edified by the discourse, but a great many appeared to be amazed at the learning and the eloquence of the orator. After the sermon, which lasted an hour and a quarter, a long hymn was sung; and it was not till at the expiration of five or six hours that I was permitted — after having, in imitation of the pastor, again refreshed myself with the excellent Madeira — to regain once more the open air.

“Out of doors, the air resounded with the roll of drums, the report of guns, and the shouting of the people. The pastor invited me to remain, and witness the bridal festivities; but I was glad to escape. To my question, why he singled me out as a heretic before the congregation, he laughingly replied, that it was a mere joke; and expressed opinions that brought to my mind the religious amusements practised in Mexico and Rio Janeiro.”

For descriptions of the sublime scenery of the Norwegian coast, we refer our readers to the author's two popular novels, “Malcolm” and “Die Vier Norweger,” and content ourselves here with giving the following short extract :

“I ascended Folgefonden, that immense plain of eternal snows, which, here and there, on the steep declivities, form small and pyramidal glaciers. I often lost myself in the waste mountain solitude, rambling about alone, and absorbed in contemplation of the mighty masses of Nature. A mingled feeling of delight and dread came over me with overwhelming force, when, standing upon the glittering, widely spread snow-plains, I saw still others stretching away into the remote distance, though deceitfully seeming to be near; and when, at other places, above the most elevated cottages of the cowherds, and above the last traces of the dwarf, Alpine vegetation, I beheld on all sides nothing but naked, shattered rocks, or bald mountain lakes, whose dusky waves rolled heavily in these torpid regions. At

such times, I learned the fascinating power of rocky Nature. It possessed an enchantment, alluring like that of torrents, but darker and more dreadful.

“But, in the very midst of the awful mountains of the North, one meets, to his surprise, in valleys like Sognedal, with an exceedingly mild, and even southern form of nature. These vales are real forcing-houses. The severe cold of winter, and the rough northern storms, descend not into them, but waste their forces upon the rocky summits of the mountains. Here below, the snow, even in winter, changes into rain; and the sun, shining warmly in, creates almost a southern climate. Spring flowers start up in March and April. Meadows, kept constantly fresh and green by the water that trickles down from the heights, alternate with fields of barley and rye. The strong, fertile soil bears the alder and the asp, the oak and the linden. The leaf-bearing trees here take the place of the firs and pines of the mountains. In the extensive gardens grow the noblest and most luxuriant species of fruit. By the roadsides bloom various kinds of flowers of most exuberant growth, such as surprise the traveller in the richest parts of Seeland. I well remember the impression with which I first trod these enchanting, but perfectly wild, northern gardens — transported, as it then seemed to me, from their native tropics to the North. It was at first highly cheerful, but afterwards quite sad; for the appearance of man in these beautiful vales is any thing but pleasing. Sunk in coarse sensuality, the inhabitants generally live in smoky huts without windows, and go about clad in rags and dirt.”

The result of our traveller's studies in Norway did not equal his youthful anticipations; and, from reluctance to appear before his friends in Copenhagen with what seemed to him a meagre account of his journey, he formed the bold design, instead of returning to Denmark, of going to seek his fortune in Germany. Having received pecuniary assistance from a friend, he was enabled to carry his design into effect. But suffering shipwreck on the German coast, he appeared in Hamburg without a shilling in his pocket, in an old coat that hung loosely about him, for which he was indebted to the generosity of the captain, without friends, and with little or no practice in speaking the German language. A couple of months were spent in the study of men and things in the streets, the gardens, the coffee-houses, and wine-cellars of Hamburg. Then, with all his worldly goods

and chattels slung in a knapsack over his shoulders, and a favorite dog at his heels, he set off, with a vague but constraining impulse to roam about in freedom and see the world, on various pedestrian excursions into the surrounding country. His purse, however, was soon exhausted; and, after living a week upon bread and fruit, he fell sick, and came very near dying from starvation—a fate he preferred to compliance with the proposal of his banker, who generously offered to take him into copartnership, provided only that he would marry his sister. At last, he was reduced to the necessity of taking refuge in the house of his father, who was at that time living in straitened circumstances in Rendsburg. After a year spent under the paternal roof in laborious study, Steffens started, in 1796, with five Prussian dollars and a couple of letters of introduction in his pocket, and a strong presentiment of future distinction in his heart, to see what fortune might have in store for him in the university town of Kiel in Holstein. There, by the advice of a friendly professor, he at first gave lessons to a few children in Natural History, but soon afterwards entered upon his professional career as *Privat-Docent* at the university, where the copiousness of learning, the brilliancy of imagination, the ardor of sentiment, and vigor of thought with which he spoke from the *Cathedra*, drew around him, in a short time, a large audience of attentive and grateful pupils.

We translate the description of the manner in which the young *Privat-Docent* was introduced to the eminent jurist Cramer, which may serve to exemplify the well known peculiarities of German Professors in the latter part of the last century.

“The manner in which I made the acquaintance of the celebrated jurist Cramer was at least original. As I was conducted to him in the garden of his country house, I heard loud shouts and laughter, and saw several young men jumping, one after another, over an elderly gentleman, who stood bent over for the purpose. A lady standing near him said, as she observed me—‘Cramer, here is Steffens.’ ‘Good,’ replied the Professor, without altering his position, ‘let him jump over me.’ Upon the word, I sprang high over him, and turning round, after the successful leap, made my compliments. He gave me his hand with a smile, and after such an introduction, I was, of course, received without further ceremony into his circle, and treated as a familiar

friend. Notwithstanding this playful behaviour, Cramer was an earnest, quiet, and thoughtful person, as well as a severe and thorough scholar."

As Steffens, at this period, began to apply himself to the study of German philosophy, and to make the acquaintance of many of the most distinguished living philosophers, we now proceed to give extracts of rather a graver character and a higher literary interest than those already introduced. The writers whom he principally studied were Spinoza, Kant, and F. H. Jacobi, — the former of whom made upon him, as upon the best German minds of that age, a very favorable and strong impression. His first meeting with the latter is described in the extract following.

"I must here mention a circumstance that greatly increased my personal interest in Jacobi. While searching one day for books in the library of Hensler, a large carriage, not unlike a strong, military baggage-wagon, with four horses, stopped before the door. The cloth, with which the carriage-top was covered, being partially removed, I was surprised to see that the wagon was divided into two halves, and both partitions filled with beds. From one of these divisions appeared a tall, slender lady, no longer young, accompanied by a female attendant. They alighted, inquired if I were acquainted with the house, and desired me to announce the presence of the Princess Gallizin. The lady possessed a genteel, and even commanding, exterior; and her countenance wore a strong intellectual expression. From the other half of the carriage descended, at the same time, an aged gentleman with his servant. The dress as well as the general appearance of the former might have made him pass for a Catholic priest. It occurred to me at once, that these personages were none other than the philosophic Jacobi, and his celebrated friend."

At the end of two years, Steffens left Kiel, and spent considerable time in visiting various places of interest in northern Germany. He studied literature and philosophy at Jena, art at Dresden, and Nature in the great Thuringian forest, where, for weeks together, he wandered about on foot, sleeping at night in lone houses, and living less by bread, which he had hardly the means to purchase, than upon the spiritual food and contemplations excited by the scenes around him. At Jena, having already begun to distinguish himself by his writings on subjects connected with Natural

Philosophy, he was introduced into that brilliant circle of authors, of whom Goethe formed the centre. He spent several days as a guest in the house of Goethe, at Weimar ; and the noble form of the great poet, his powerful eye, the native dignity of his bearing, and the repose of his external manner, while a whole world of thoughts and emotions was revolving in the spirit within, made upon the young naturalist, as upon all others, a strong impression, and produced the conviction, that the genius of the poet was even surpassed by the greatness of the man.

At Jena, also, Steffens commenced a warm and lasting friendship with Schelling. The latter was then proclaiming, with youthful ardor and daring, his first great philosophical system, destined after many years to give place to a second, more in harmony with Christianity, and for the publication of which the republic of letters is now waiting with mingled hopes and fears. Steffens was present when Schelling gave his introductory lecture at the university, and thus describes the appearance of the youthful metaphysician.

“ The large hall was thronged with professors and students. The youthfulness of Schelling’s appearance, as he ascended the *Cathedra*, was very striking. He was, in fact, two years younger than myself, but he was already one of the most distinguished of the literary personages whose acquaintance I was anxious to make at Jena. There was an appearance of decision, and even of defiance about him. He had broad cheek bones, temples boldly projecting, and a high forehead. His face was strongly knit together, and the nose had a slight cast upwards ; while in the large clear eyes lay the might of intellectual dominion. At the commencement of his discourse, he appeared a little embarrassed ; but this lasted only a few moments. The subject was one which, at that time, filled his whole soul. He spoke of the idea of a Natural Philosophy — of the necessity of comprehending Nature in its unity — and of the light that would be thrown over all objects, if only observed from the central point of the unity of reason. He carried me completely away by his eloquence, and I hastened the next day to visit him. He received me not only in a friendly, but even joyful manner. I was the first professional naturalist who attached himself to him unconditionally and enthusiastically. Among this class of scholars, he had hitherto found only opponents ; and, indeed, those who seemed not at all to comprehend the reasoning they attempted to refute.”

From the lecture-room of Schelling, Steffens proceeded to that of Fichte, where the following rather ludicrous scene presented itself.

"Fichte appeared to deliver his introductory lecture on the Destination of Man. This short, strong-built man, with sharp commanding features, made, I must confess, a most imposing appearance, as I then saw him for the first time. Even his language had a cutting sharpness. Well acquainted with the metaphysical incapacity of his hearers, he took the greatest possible pains fully to demonstrate his propositions; but there was an air of authoritativeness in his discourse, as if he would remove all doubts by mere word of command. 'Gentlemen,' said he, 'collect yourselves—go into yourselves—for we have here nothing to do with things without, but simply with the inner self.' Thus summoned, the auditors appeared really to go into themselves. Some, to facilitate the operation, changed their position, and stood up; some drew themselves together and cast their eyes upon the floor; all were evidently waiting under high excitement for what was to follow this preparatory summons. 'Gentlemen,' continued Fichte, 'think the wall' (*Denken sie die Wand*). This was a task to which the hearers were evidently all equal; they thought the wall. 'Have you thought the wall?' asked Fichte. 'Well then, gentlemen, think him who thought the wall.' It was curious to see the evident confusion and embarrassment that now arose. Many of his audience seemed to be utterly unable anywhere to find him who had thought the wall; and I perceived how it might well happen, that young men, who thus stumbled at the very threshold of speculation, might, in their further attempts, be brought into states of mind the most dangerous and injurious. Fichte's delivery was excellent, being marked throughout by clearness and precision. I confess that I was strongly moved by the subject, and that I never again heard so striking a lecture."

Steffens's description of Frederick Schlegel also, who, with his brother William, belonged to the Jena circle, is highly characteristic.

"At Jena, I became acquainted with Frederick Schlegel. He was in every respect a remarkable man,—of slender form, his features beautifully regular, and in the highest degree expressive. There was a quiet in his external appearance, that was almost phlegmatic. When sitting absorbed in a train of thought, he was accustomed to span his forehead with his thumb and forefinger, then draw both together slowly, so as to meet above the eyes, and with equal deliberation down over the

beautiful, and delicately formed nose ; and, as he advanced still further in the development of his thought, the united thumb and finger were moved from the point of the nose in a long straight line into the air. During this movement, he spoke slowly and cautiously, so as to bring me wellnigh to desperation. Striding backwards and forwards across the room, I often interrupted his chain of reasoning with critical objections ; but his calmness could never be in the slightest degree ruffled. Tieck afterwards drew a caricature of us, in which Schlegel, in deep meditation, sat gazing into vacancy, his finger pointing before his nose into the air ; while I, violently moving both hands and feet, turned my nose heavenward. I attached myself closely to Schlegel, and constantly forgot the difference in our philosophical views. He lived entirely in history. He was a perfect stranger to outward nature ; and neither of the brothers had an eye even for the most beautiful scenery, just as Lessing and William von Humboldt lacked entirely an ear for music. There are few men whose personal appearance produced so strong an effect as that of Frederick Schlegel. Every subject that was presented to him, he handled in a manner significant and profound. His wit, also, was pointed and inexhaustible."

While on a visit to Dresden, Steffens met with the poet Tieck, of whom he has given the following interesting description.

" Tieck, like myself, was at that time twenty-eight years of age. He was truly beautiful in appearance, of a slender figure, and with eyes whose wonderful transparency and intellectual power even old age has not yet been able to subdue. All his movements were graceful and elegant, as was also his language. He hardly writes with more beauty than he speaks. The clearness with which he treats his subject, and the graceful and sonorous fulness of his periods alike irresistibly captivate us. In conversation, he takes up his theme with calm objectivity ; handles it circumspectly, and yet with a reserved enthusiasm, that imparts to the representation a living warmth, for which it seems less indebted to the genius of the writer, than to the vital, spiritual importance of the subject itself. I have hardly ever seen him violently excited. He has himself told me, however, that, in the highest circles of society, when he has heard what was of the greatest poetical and spiritual importance spoken of with genteel contempt — when, particularly, the best things of Goethe have been pronounced ridiculous, — he had felt himself suddenly agitated with passion that made him pale. But he remained silent, when, I must confess, my mouth would have overflowed with im-

proprieties. Many a time, I have seen his ablest and most determined enemies completely overpowered by the conquering might of his presence merely ; and I may venture to affirm, that the influence of his personal appearance, easily accessible and amiably acquiescent as he was, must have been as great as that of his writings. The benefit I have derived from intercourse with him during the progress of a friendship of the most intimate character and of very long duration, even though we have differed on subjects of the highest moment, is greater than I can express. His flow of ideas, when speaking of the poets whom he revered, such as Goethe, Shakspeare, and even Holberg, was always most free and generous.

“ Before the elasticity of his frame had been impaired by disease, his rich and pliant mimicry was as wonderful as his flexibility of language. Had he gone upon the stage, he would have made the greatest actor of his time ; and even now, in his old age, when, lamed by the gout and confined to his chair, he recites a drama in that style for which he is celebrated throughout Europe, it seems to me, as if the perfection of scenic art, which at the theatres drags out a weak and doubtful existence, were fettered to the chair of this septuagenary.”

In 1804, Steffens was called as *Professor Ordinarius* to Halle, in the neighbourhood of which town he had previously married the accomplished daughter of the well known musician Reichardt. About the same time, Schleiermacher was appointed *Professor Extraordinarius* at the same university ; and the two teachers formed an intimate acquaintance with each other, of which we give some account in the extracts following.

“ At Halle, I was destined to meet a man, who made a new epoch in my life. It was Schleiermacher. As is well known, he was small of stature, and somewhat crooked, yet hardly so as to appear deformed. He was quick in his motions, and the features of his countenance were in the highest degree striking. There was a sharpness in his look, that might have been, perhaps, somewhat repelling. He appeared, in fact, to look quite through everybody. His face was rather long, the lips firmly closed, the chin prominent, the eye active and fiery, and its expression uniformly earnest, collected, and thoughtful. I saw him amid the manifold and ever-changing relations of life, absorbed in contemplation and elated with merriment, joyful and sad, composed and agitated ; but on all occasions, his mind was controlled by an unchangeable spirit of repose, greater and more powerful than the passing excitement. At such times, a slight

expression of irony played over his countenance, a heartfelt sympathy with others appeared to animate him, and an almost child-like sweetness of disposition shone through the quietude of his manner. His great mental composure had sharpened his bodily senses to a surprising degree. While engaged in animating conversation, nothing that occurred in his presence escaped him. He saw every thing and heard every thing, even the low conversation of others. Art has, in a most wonderful manner, immortalized his countenance. Rauch's bust of him is a masterpiece of art; and one who has lived so familiarly with him as I have done, is almost struck with dread at its resemblance to life. I felt as if he were before me, and about to open his firmly closed lips for grave discourse.

"We formed the closest mutual attachment. Walks, pleasure-parties, society were enjoyed by us together. He was interested in my views of physical science; and I learned through him Plato and the Grecian philosophy. My connexion with him, as with Goethe, Schelling, and Tieck, taught me, in a most convincing manner, that unlimited devotion to another demands, not prevents, perfect self-reliance. What was often called his Spinozism was the very thing that most attracted me, because it appeared not as a kind of fatalism, but rather as the living fountain of unconditional freedom. The deeper, more serious, and even more religious the view Schleiermacher took of life and science, so much the more decisively did he turn away from all representations of the one or the other, which appeared to him trivial and worthless."

The following occurrence excited some attention. Schleiermacher being university preacher, it became his duty, on the death of the queen dowager, to pronounce a funeral oration. It was the month of March; and a beautiful spring-day enticed him, together with Steffens and a young nobleman of their acquaintance, the day before the appointed solemnities, to make an excursion into the country. The night was spent at a small inn in the village of Ostrow, and in a way that did not appear very favorable to the preparation of the preacher's work for the morrow.

"It was past midnight, and on the following morning, between nine and ten o'clock, Schleiermacher was to ascend the pulpit, and pronounce an oration on a theme requiring to be treated with the greatest delicacy. After a few hours' sleep, we awoke, and commenced our walk of seven or eight miles homewards. Schleiermacher, a valiant pedestrian, strode on before us with a

celerity that made it difficult to follow him. We observed that, notwithstanding the rapidity of his gait, he was absorbed in thought, and we forbore to disturb him. On reaching home, I had barely time to change my dress, and arrive at the church at the appointed hour of service. As I appeared among my collegiate friends, a general movement was visible. 'Ah,' they exclaimed, 'now you are come, we may hope to see Schleiermacher also.' The report of our excursion, and even of our spending the night at a beer-house, had already circulated about the city. Messengers had been sent early in the morning to Schleiermacher's lodgings, and, as scarcely an hour before service, when the bells began to ring, he had not yet returned, some began to think, and others even to hope, that he would not come at all. I was silent, and allowed them to talk.

"Schleiermacher ascended the pulpit. Every one who has ever heard him knows how imposing from the sacred desk was the calm earnestness of his exterior. His discourse showed that artistic arrangement of the parts, which was so characteristic of the orator. The subject was worthily treated, and his sentiments clearly stated. Notwithstanding the repose and apparent coldness of his delivery, he made a profound impression, and every one left the church convinced of the nothingness of all earthly relations, even the most important, when compared with his divine destination. My friends all listened to the oration with delight and wonder. The fact, that the person who had delivered a discourse so free and clear in its views, so well conceived and skillfully arranged, had spent the few preceding hours in playful diversion, was in the end considered as trivial and of no importance."

At Halle, Steffens met with much success as a teacher, until the unfortunate campaign of Jena broke up the university, and encompassed his fireside with the anxieties and dangers of war. In the autumn of 1806, as the harvest season drew near, reports of the approach of the French under Napoleon, and the expectation that a great battle was to be fought in the neighbourhood, filled all hearts with solicitude. The arrival, about this time, of the reserve corps of the Prussian army under the Duke of Wurtemberg, raised the excitement to such a pitch as entirely to destroy the quiet order of individual activity, and to fill the streets with men and women anxious to listen to the last reports, and to learn the general hopes or apprehensions. The Prussian officers were vainly confident of victory; but upon the mercenary soldiery little reliance was placed by the people at large.

First came the news of the unfortunate engagement at Saalfeld, where Prince Louis was left on the battle-ground. The still nearer approach of the enemy was daily reported ; until, on the fatal 14th of October, the tidings of a great battle suddenly broke upon the ears of the citizens. At first, it was tremblingly said, that the Prussians had experienced a disastrous defeat ; but afterwards, all faces were lit up by the rumor of as great a victory. Steffens, anxious to learn the truth, ran hastily out to the Salzstein heights, situated midway between Halle and Merseburg. There, bending his ear to the ground, he distinctly heard a cannonade in the distance, which, growing more and more faint, and retiring in a north-westerly direction, convinced him that all was lost. This conviction, however, he hardly ventured to express even to his nearest friends, who were all encouraged, even up to the night of the 15th, by constant reports of a great triumph of the Prussians. But early on the morning of the 16th, he was awaked by the reports of musketry, and with his wife, accompanied by Schleiermacher and his sister, he hastened to the walls of the town, where they obtained a distinct view of the attack and defence, and the occasional skirmishes of cavalry on the adjacent plain. The progress of the French soon compelled the party on the walls to retire to their homes. As the house of Steffens stood in an exposed part of the town, he proceeded with his wife and child to that of Schleiermacher. On their way, they were obliged to cross a street crammed with retreating ammunition wagons and cannon, together with flying soldiers ; the guns of the French were heard in the adjoining streets, and a portion of the advanced guard of Bernadotte, called the Brimstone Band, hurried by without seeing them. The bullets whizzed past the ears of the father, holding his infant child in his arms. But they all escaped, they knew not how, to the house of their friend. There, however, they were not suffered to remain long undisturbed. The French soldiers scattered about the town in quest of plunder, entered a house directly opposite Schleiermacher's, and robbed it of every thing which they could lay hands upon. At length, a loud knocking was heard at their own door ; but the inmates remained still. The robbers, however, saying that they would be satisfied with a glass of wine or two handed through the window, those within indiscreetly concluded to comply with their re-

quest, and Steffens opened the window. No sooner was this done, than one of the horsemen, levelling a pistol at the head of the Professor, threatened to blow his brains out, if the door was not instantly opened. Having gained admission, the robbers seized upon the watch of Steffens — purse as usual he had none, — relieved Schleiermacher of the money about his person, rummaged a desk that happened to be lying open, and, catching up some pieces of linen, hastened out of doors.

In the afternoon, Steffens ventured to go out. No Frenchmen were anywhere to be seen. Dead bodies of Prussian soldiers lay scattered about the streets ; a few single persons here and there appeared ; neighbours were seen timidly stealing about from each other's houses ; and small groups were assembled at a corner or two, narrating with suppressed voices the excesses of the plundering troops. At night, the company, which had passed the day at Schleiermacher's, assembled at the residence of a Professor Hofbauer. Fears were entertained, that the town would be exposed during the night to the ravages of the victors ; and the gentlemen had prepared themselves to defend the women and children with their lives. But there is often a humorous side even to despair. It was known that Hofbauer's cellar was well stored with the choicest Rhine wines, and that he was usually very sparing in the use of them. Hinting to him, therefore, that his cellar would undoubtedly be exposed to the search of the enemy, and intimating further, that such wine as his ought never to tickle the throats of Frenchmen, they succeeded in causing a goodly number of dusty bottles to be ordered up, and spent the night over them in sprightly discourse, till at the dawn of morning they one after another fell asleep in their chairs.

From these illustrations of the distress which war brings into the bosom of literary and domestic life, we turn again to the peaceful pursuits of letters, and give a short description of the famous founder of the science of Phrenology.

"Gall, the celebrated craniologist, having excited much attention by his lectures in Berlin, and gained a large number both of followers and opponents, came about this time to honor the town of Halle with his presence. Plaster heads, with Gall's figures upon them, belonged to the household furniture of those days ; they were found even upon the toilets of ladies. Instead of

reading the works of an author, or listening to the compositions of a musician, many persons preferred, whenever they could make the personal acquaintance of a writer or artist, to examine his pericranium; and if they found no bump for the talent attributed to him, they condemned his productions *a priori*. The mother felt of the heads of her children, full of anxiety lest she should find indications of a thief or a murderer. However, the motherly hand generally slipped lightly over these ill-omened elevations, without perceiving them. But if the partial fingers chanced to pass over the organ of some future talent, they felt at once the little mountain; and the fond mother congratulated herself, that she had given birth to a philosopher, an artist, a legislator, or a hero. At the present day, however, one may look long before finding one of Gall's plaster heads, unless, indeed, he should choose to search for them among the dusty relics of the garret. Phrenologists are now rarely to be met with in Germany.

"Gall belonged to that class of persons who think, by means of a few imperfect observations of nature and various combinations of these, to arrive at important discoveries in science. I have known few men who allowed themselves to be so little disturbed in their opinions by any doubts of their correctness. His delivery was expressive of entire confidence in himself; and he pronounced his lectures with all the ease and freedom of conversation.

"One scene I must here describe, which surprised and amused me. Goethe had come over from Weimar to hear Gall, and sat with his imposing mien in the midst of his hearers. Even his still attentiveness had something commanding in it; and the repose of his unchanged features did not entirely conceal the rising interest he felt in the development of the lecture. On his right, sat the great philologist, Wolf; and on his left, my father-in-law, Reichardt. Gall was occupied in explaining the organs of the different faculties; and, in his easy way of lecturing, did not scruple to look around upon his hearers' heads for the confirmation of his doctrines. At first, he spoke of those skulls that present no particular elevations, but are developed in full and beautiful harmony; and then remarked, that whoever noticed the head of the great poet who honored his lecture by his presence, would see a splendid illustration of the kind of skull of which he had been speaking. The whole audience at once turned their eyes upon Goethe. He remained calm, a scarcely perceptible expression of dissatisfaction was immediately lost in a suppressed smile of irony, and the perfect and imposing repose of his countenance continued undisturbed. Gall next came to the

organ of tune. Reichardt had a remarkable development of it, and as his head was completely bald, the lecturer pointed to it as to a skull expressly prepared for the occasion. At last, came Wolf's turn, who rejoiced in an equally striking development of the organ of language. Wolf, however, wore glasses, that concealed this organ. As Gall proceeded to speak of the faculty of language, Wolf could well suppose, that the lecturer would make use of his head as he had of Goethe's and Reichardt's. And it was most amusing to see how the great philologist lent his aid to carry into execution the design of the craniologist. With the greatest composure, he took off his glasses, looked round in all directions, and at the same moment his pate was converted in the hands of the lecturer into a craniological specimen, which, more by the operator than by himself, was put into motion, and shown to all the spectators. Although there was something comical in the whole scene, Gall accomplished his object. The striking confirmation of his doctrines by heads so distinguished produced a great effect upon all his hearers."

The space already occupied compels us here reluctantly to take leave of our author. His work is, indeed, far too voluminous, and sometimes reminds us of a saying by A. W. Schlegel, that even the greatest men, in their old age, love to take themselves up as children upon the arm, fondly stroke their dear heads, and amuse themselves with baby talk. But the style is pleasing, the topics are attractive even to the general reader, and the numerous reflections of the author, though now and then a little weakened in their effect by the mistiness of thought and sentimentality of feeling so common in the land of his adoption, are full of poetical, religious, or philosophical interest. The portion of the work to be hereafter published will give an account of the author's literary and scientific productions, as well as of the important part taken by him in the Prussian war of independence against Napoleon, "in which," says Alison, in his "History of Europe during the French Revolution," "Steffens appeared with a warlike air, and surrounded by a numerous band of followers." To these later volumes, should their interest answer our expectations, we may possibly invite the attention of our readers in a subsequent number of this Journal.

ART. VIII. — *The Despatches of HERNANDO CORTÉS, the Conqueror of Mexico, addressed to the Emperor Charles the Fifth, written during the Conquest, and containing a Narrative of its Events.* Now first translated into English from the original Spanish, with an Introduction and Notes, by GEORGE FOLSOM, one of the Secretaries of the New York Historical Society, &c. &c. New York and London: Wiley and Putnam. 12mo. pp. 431. 1843.

THE constant succession of internal dissensions and military revolutions in those extensive regions of our continent, that formerly acknowledged allegiance to the king of Spain and the Indies, has almost extinguished the sympathetic feelings which, twenty years ago, led the people of the United States, with entire unanimity, to demand the admission of the Southern Republics of America into the great family of nations. But not to refer to occurrences in our immediate vicinity, that indicate political changes more portentous than any that have taken place since the first European colonization, we need scarcely remind our readers, all of whom are of course familiar with the unpretending narratives of Stephens, that though the philanthropist may have been disappointed in the anticipation, in which he had fondly indulged, of seeing well-regulated liberty established on the downfall of foreign despotism, other sources of interest, of a wholly different character, have recently been created in those countries, which were, before Humboldt's scientific travels, forbidden regions to all beyond the sphere of Spanish influence. Discoveries not of gold or silver mines, but of immense cities, once the habitations of man and the abodes of luxury and wealth, have been made, which have rendered the central regions of the American continent prolific fields for the researches of the historian and antiquary.

At such a moment, the inquiry naturally arises, to what people are we to attribute the monuments, that still exist in Guatemala and Yucatan, and which evince so much architectural skill that they may be compared with some of the best works of Greek and Roman art; while, in their colossal character and style of execution, they compete with the gigantic productions of Egypt. It is not surprising, when

we consider the ignorance and abject condition of the natives at the present time, after a vassalage of three centuries, that doubts should be entertained whether their ancestors were capable of accomplishing what the ruins of Palenque and Uxmal attest. But though we have no detailed accounts of the particular edifices, the ruins of which are now fully delineated by the pencil of Catherwood, the descriptions of the works of art that did exist in the sixteenth century, in the neighbouring regions, written by the very individuals who undoubtedly saw those palaces and temples in their days of splendor, will readily solve any problems as to the origin of the recently discovered structures in Yucatan. What the people of Tlascala and Temixtitan could accomplish, their neighbours and contemporaries might assuredly effect ; and no one, we believe, who has studied the narratives of the conquest of Mexico, can have any difficulty in attributing, with Stephens, the erection of the monuments recently brought to notice to the same people who built the cities, of whose condition, in the sixteenth century, we possess from contemporary writers, including the great Captain himself, the most ample accounts.

But it is not as mere commentaries for the explanation of collateral matters, or as a guide to the antiquary in the investigation of works of art, that the annals of the conquest of New Spain are to be regarded. Whatever may be their value in these respects, whatever interest they may afford to the contemplative student, — these considerations sink into insignificance, when our attention is directed to the boldness of the undertaking of Cortés, the small number of the Spanish forces contrasted with the resources of the mighty empire against which they were arrayed, and the statesmanship not less than the military skill exhibited by the commander.

The work now before us, for the first English translation of which we are indebted to Mr. Folsom, a gentleman whose attention has been long directed to American history, and who, as a member of the New York Historical Society, and the editor of the last volume of its collections, has most effectually contributed to the present elevated standing of that useful association, contains all the despatches, that are now extant, of Hernando Cortés, the Conqueror of Mexico. They are addressed directly to the Emperor Charles the Fifth, and present full details of all the occurrences,

through which, as Cortés at a subsequent period of his life had occasion to tell him, he had gained more provinces than he had inherited towns from his ancestors.

As the memoirs of a hero written by himself, the work before us possesses an interest of the same character with that of the *Anabasis* of Xenophon and the *Commentaries* of Cæsar ; and though the Spanish leader may not claim the high literary rank which the Greek and Roman generals have attained as classical historians, we are not to conclude that Cortés has any occasion, even as an author, to deprecate criticism. The despatches possess the attractions of romance with the certainty of truth. Compared with his great rival in the conquest of American kingdoms, Cortés enjoyed advantages of which Pizarro was wholly destitute ; and his origin, like that of the great hero of the nineteenth century, whom in many particulars he resembled, whilst it commanded for him the privilege of liberal instruction, was also such as required of him, if he aimed either at honors or wealth, to become the architect of his own fortunes.

In 1517, the first regular expedition that effected a landing on the Mexican coast was fitted out from Cuba. It was placed under the command of Cordova ; and, as Bernal Diaz, who also accompanied Grijalva and Cortés, was with Cordova, and has left an account of all these enterprises, we possess regular details of the earliest attempts at colonization on the Spanish main.

The reception which the first adventurers met with exhibited a power of resistance, on the part of the natives, far beyond what was afterwards shown against Cortés. On landing on the coast of Yucatan, Cordova was surprised to find numerous warriors, who carried, besides their bows and arrows, lances and shields ; and, though they were driven off by means of the musketry, the Spaniards met with a loss of fifteen men. At Potonchan, where they subsequently attempted to land, they were defeated, with the loss of fifty-seven men, — an event, however, which was in some degree explained by the fact, that the Indians were led by a Spaniard, who had been wrecked on the coast several years before, and had been made a *cacique*. It was in this voyage, that the Spaniards first saw those buildings of stone and lime, surrounded by fields of maize, which distinguished the habitations of the natives of the continent from those of

the dwellers on the islands, and indicated the different character of the population.

Grijalva followed in the track of Cordova, routed the Indians in a pitched battle at the place where the latter was defeated, pursued his way along the coast, and, after touching at Tabasco, Guaxaca, and St. Juan de Ullua, proceeded as far as the river Panuco, where Tampico is now situated. The Spaniards were astonished at the high cultivation of the fields, and the beauty of the Indian edifices, and they gave such accounts to their countrymen as were calculated to stimulate them to new adventures. The Spanish expeditions of those times resembled private adventures far more than public undertakings. Each captain found provisions and sailors for himself, while the arms and some trifling necessities were furnished by the government. So far was a permanent colonization from being their first object, that the instructions, in general, were to obtain as much gold as could be had in the least possible time.

These two expeditions had been fitted out under Velasquez, the governor of Cuba. This officer proposed to appropriate to himself both the glory and the profit to be derived from the discoveries effected under his auspices, while he avoided undergoing any of the hardships or dangers to which a personal participation in the enterprises might have subjected him. Though delighted with the result of Grijalva's voyage, of which he took care to obtain every advantage by the accounts which he transmitted to Castile, and in particular to his patron, the Bishop of Burgos, he became jealous of his lieutenant, and resolved to employ, for the expedition that he was about to fit out, a new commander. By the influence of his secretary and another officer, who are supposed to have stipulated for some advantages to themselves, Hernando Cortés was selected.

Of the previous history of this celebrated personage, we shall give Mr. Folsom's account :—

“Cortés was born at Medellin, a small town in the southwest of Spain, in the year 1485, and was, consequently, at the time of his appointment, thirty-four years of age, nearly fifteen of which he had passed in the New World. According to Gomara, his parents were persons of respectable and even noble connexions in Old Spain, and were generally esteemed for their piety and virtue, although reduced in fortune. His father, whose

name was Martin Cortés de Monroy, had served when young in the wars of the peninsula, as lieutenant of a company of horse; and such was his standing at the time of his son's first success in Mexico, that his personal influence with the court was usefully employed in his behalf to counteract the malevolence of his enemies. Cortés, in his childhood, was of feeble health, and often seemed at the point of death. He early adopted, says Gomara, who was afterwards his chaplain, the glorious apostle of Jesus Christ, St. Peter, as his patron saint, whose annual festival he was always careful to observe. At fourteen years of age, he was sent by his parents to study at Salamanca, where he resided with Francisco Nuñez de Valera, who had married his father's sister. Here he commenced a regular course of academic education, it being the intention of his parents that he should not leave the university until prepared to graduate as bachelor of laws; as they designed him, says Gomara, on account of his talents and universal genius, for that rich and honorable profession. But Cortés was destined, in this instance, to disappoint their hopes. Weary of study, and imbibing a taste for more active pursuits, he returned to his father's house after an absence of two years, much to the grief of his friends. At that period, war was the most honorable pursuit in which a man could engage; and the adventurous life to which it led had peculiar charms for a youth of the bold and impetuous temper of young Cortés. The principal theatre of martial exploits in Europe at that time was Naples, where the great captain, Gonzalvo de Cordova, was conducting the Spanish arms; and Cortés only hesitated between joining his countrymen in that quarter, and embarking for the New World in the retinue of his kinsman, Nicholas de Ovando, who had been just appointed to succeed Columbus in the government of the Indies. He finally decided upon the latter; but, accidentally falling from a wall on which he stood, in the act of serenading or otherwise paying his *devoirs* to some fair one, he was laid up by the injury he received until after the departure of Ovando. He then turned his attention again to Italy; but, after wasting a year in fruitless endeavours to place himself in the road to military fame, he once more changed his determination, and resolved to embark for the New World.

“Receiving a small outfit from his parents, Cortés took passage at St. Lucar, in the year 1504, in a merchant ship bound to the island of St. Domingo, where he safely arrived, and was kindly received by his kinsman Ovando, the governor. After some service in the wars against the natives of the island, he finally settled in a new town, called Azua, being appointed public no-

tary, and receiving from the governor lands and Indians for his support. Here he continued to reside for five or six years, employing himself in the improvement of his plantation; but, when an expedition was fitted out for the conquest of the island of Cuba, in 1511, under Diego Velasquez, Cortés was induced to embark in it in the capacity of secretary to the king's treasurer, whose duty it was to keep an account of the fifths and other revenues of the crown. On the reduction of the island, which was effected with scarcely any opposition on the part of the natives, he settled at St. Jago de Baraça, the first town founded by the Spanish colonists in Cuba, where he again devoted himself to the cultivation of the soil, and had allotted to him the distribution of the Indians of a certain district among the colonists, in conjunction with Juan Juarez, a brother-in-law of the governor, Velasquez."

"When Don Diego Columbus, son of the Admiral, succeeded Ovando in the government of the Indies, in the year 1509, he was accompanied on his voyage to St. Domingo by his Vice-Queen, Doña Maria de Toledo, niece of the Duke of Alva, whom he had then recently married. They were attended by a retinue of hidalgos, with their families, including many young ladies of rank. Amongst these were the mother and three or four sisters of Juan Juarez, (already mentioned as associated with Cortés in the distribution of the Indians,) who came from Granada, in Old Spain. Diego Velasquez married one of these sisters, all of whom, after the conquest of Cuba, had removed to this island, of which he became the governor. Being remarkable for their beauty, these young Spanish ladies were much admired by their countrymen on the island; one of them, named Catalina, (or Catherine,) attracted the regard of Cortés, who finally married her; and, on account of the excellence of her character, he was accustomed to say, that he prized her as highly as if she had been the daughter of a duke.* Prior to this marriage, a serious difficulty arose between Cortés and the governor. A number of the colonists had resolved to prefer some complaints against the latter to the viceroy, of which Cortés was chosen to be the bearer; and, when about embarking in a canoe for the island of St. Domingo, on this mission, he was seized and thrown into prison by the orders of the governor. He was, however, subsequently pardoned by Velasquez, who even stood god-father to his daughter after his marriage."—*Introd.* pp. 9–12.

* "Doña Catalina remained at St. Jago until after the Conquest, when she went to Mexico, and was received by Cortés with great distinction. She died at Mexico, two or three years after."

Velasquez soon became dissatisfied with his selection, though it had been sanctioned by a formal agreement before a notary, on the 23d of October, 1518, and a license had been obtained from the Royal Audience of Hispaniola, recognizing Cortés as the commander, and as jointly concerned with Velasquez in the outfit of the expedition. Cortés, however, being informed of the views of the governor, set sail from St. Jago de Cuba on the 18th of November, with three hundred Spaniards, in six vessels, and went to Trinidad, where he obtained another ship, and two hundred more men were enlisted. Thence he proceeded to the Havannah, where orders were received to arrest him ; but we learn from Bernal Diaz, that he had already gained such power over the minds of men, that Pedro Barba, the lieutenant of Velasquez at that place, wrote, in answer to the governor, that if he attempted to obey the order, he was sure the town would be sacked, and Cortés would carry off all the inhabitants. Cortés himself, as if ignorant of what had occurred, wrote a letter, the day before he set sail, to Velasquez, vowing eternal friendship. He took his final departure with his fleet from Cuba, on the 18th of February, 1519. And, that religious enthusiasm might not be wanting, as an auxiliary to that avarice which was the impelling motive with most of his followers to embark in the expedition, Cortés carried out with him a standard with the motto, "*Amici, Crucem sequamur, et in hoc signo vincemus.*"

The first land at which the expedition touched was the island of Cozumel, where the troops were mustered and were found to amount to five hundred and eight soldiers, and one hundred and nine mariners. There were thirteen musketeers, ten brass field-pieces, and thirty-two cross-bows. And this was the army that was to subdue a mighty empire !

The attention of the Spaniards, who at once commenced propagandism by destroying the idols, and erecting crosses and images of the Virgin Mary and of the saints, was attracted to the principal temple, which was built of stone, and contained a remarkable idol, so constructed that the priests entered it, and answered audibly the prayers and petitions addressed to it by the natives. But a more remarkable circumstance was the worship of a cross of stone, which the people adored as the god of rain, the origin of which cannot, it is said, be traced to the existence of Christianity among

them at any former period. The remains of this temple were still to be seen, at the time of Mr. Stephens's late visit to Yucatan.

From Cozumel, the expedition proceeded to the river Tabasco, where Grijalva had been kindly received. Cortés, however, being refused admission to the city, which was situated a short distance up the river, had here his first engagement with the natives. In spite of the terror which the strange noise of the ordnance occasioned, they fought with desperation; but being pressed both on the side of the land and the water, they were driven out of the town. Cortés took up his quarters in the temple, "which afforded space enough to contain all the Spaniards, as it had a court and several large and elegant halls." After a further trial of Spanish prowess, the Indians, who began to regard their invaders as a superior race, begged for peace, and offered presents of gold wrought into various forms, resembling the human face, birds, and beasts. They also gave the invaders twenty female slaves, one of whom was Doña Marina, whom Father Clavigero calls the first Christian of the Mexican Empire. She was certainly the most celebrated woman in the story of the Conquest, and to her, scarcely less than to Cortés himself, is the success of the Spaniards attributed by the early annalists. She was a girl of great personal attractions and intelligence, the daughter of a cacique of Guasacualco, who had been sold into slavery. She retained a knowledge of her native tongue, which was that of Mexico, while she had acquired the Maya language, which was spoken at Tabasco. This latter was also known to Aguilar, a Spaniard, who was shipwrecked with the one to whom we have referred, as the leader of the Indians in the battle against Cordova; and thus early were full means of communication with the inhabitants, in all the regions visited by Cortés, obtained.

The female slaves were all baptized before they were allotted to the several leaders; and the same course was adopted, on like occasions, whenever similar presents were made by the Indian caciques, who often gave to the invaders their daughters and other dear relatives. Doña Marina, we are told, fell to the share of Puerto Carrero, but Cortés afterwards took her to himself, and had by her the son, who accompanied him to Algiers. She subsequently became the wife of a Spanish cavalier.

“ In the expedition to Higunas, (Honduras,) ” says Bernal Diaz, “ when Cortés passed through Guasacualco, he summoned all the neighbouring chiefs to meet him; amongst others came the mother and half-brother of this lady. She had told me before, that she was of that province, and in truth she much resembled her mother, who immediately recognized her. Both the old lady and her son were terrified, thinking that they were sent for to be put to death; but Doña Marina dried their tears, saying that she forgave them; that, at the time they sent her from them, they were ignorant of what they did; and that she thanked God who had taken her from the worship of idols to the true Church, and was happier in having a son by her lord and master Cortés, and in being married to a cavalier like her husband, than if she had been sovereign of all the provinces of New Spain.”

This statement does not seem to indicate, whatever may have been her other virtues, that very refined notions about chastity were entertained by the Mexican Saint. We ought not, however, to be severe in scrutinizing the actions of the Indian princess, who naturally looked to those by whom she was initiated in the Christian faith, for the rules of morality, by which to regulate her conduct; especially, as we learn from the very clever work on “ *Life in Mexico*,” as it now is, that indulgence is still granted, even among the descendants of the conquerors, to females of the most exalted rank, whose womanly character is stained by the same transgressions, by which the Christian life of Doña Marina was unwittingly marked.

“ We went lately,” says Madame Calderon, “ to a breakfast, at which was a young and beautiful Countess, lately married, and of very low birth. She looked very splendid, with all the — diamonds, and a dress of rose-colored satin. After breakfast, we adjourned to another room, where I admired the beauty of a little child who was playing about on the floor; when this lady said, ‘ Yes, she is very pretty — very like my little girl, who is just the same age.’ I was rather surprised, but concluded, she had been a widow, and made the inquiry of an old French lady, who was sitting near me. ‘ Oh no!’ said she, ‘ she was never married before; she alludes to the children she had before the Count became acquainted with her!’ And yet, the Senora de —, the strictest woman in Mexico, was loading her with attention and caresses.”

Cortés proceeded from Tabasco by sea, along the coast,

to St. Juan de Ullua, and, while in that neighbourhood, and about to select the site for a settlement, he received a delegation from Cempoal, a city containing sixty thousand inhabitants. The lord of this place had heard of the victory at Tabasco, and he now sent to ask the invaders to visit him, and to solicit an alliance, such as would enable him to throw off the yoke of the Mexicans. This invitation, so much in accordance with his own views, was gladly accepted by Cortés, and the troops marched into the city; but not being without apprehensions of treachery, they proceeded through the streets in the order of battle. They beheld with astonishment the beauty and extent of the city, far surpassing all that they had before seen in the New World.

“In the market-place of Cempoal, stood an immense building of stone and lime, with loop-holes and towers, the walls whitened with plaster, that glittered like silver as the sun shone upon them. At first, the Spaniards imagined these walls to be composed of solid silver, but this error was soon corrected. Within this palace was a long suite of apartments, in which the Spaniards fixed their quarters, planting the cannon at the doors for security, and keeping themselves in readiness in case of treachery. Their fears fortunately proved groundless; the cacique directed a splendid supper to be prepared for them, and convenient bedding. The next morning, the cacique waited upon Cortés, and made him many rare and valuable presents; amongst these were cotton garments in the Egyptian fashion, with a knot on the shoulder, and jewels of gold valued at two thousand ducats. This visit was returned by Cortés, on the following day, in a becoming manner. In his conversation, the cacique complained loudly of the oppression and tyranny of Montezuma, the Mexican ruler, who had but lately usurped the government of Cempoal; he also professed his willingness to join an alliance against him. At the same time, he extolled the riches and magnificence of the city of Mexico, planted in the midst of a great lake, and the splendor of the court of Montezuma.” — p. 29.

The town of Vera Cruz, the first colony on the continent of North America, was first established about twelve miles from Cempoal, in the country of the Totonacs, a people who, like the Cempoallans, were anxious to throw off the Mexican yoke. Cortés took this occasion to dissolve all connexion with Velasquez, by resigning his command to the municipal authorities of Vera Cruz, whom, according to Go-

mará, he named himself, or who, as Bernal Diaz states, were elected in the manner customary in Spain. He was, at once, again invested with the authority of Captain-General and chief magistrate, though these arrangements were not made without difficulties being interposed by the partisans of Velasquez, who demanded that the expedition should return to Cuba.

While Cortés was engaged in laying out the new town, a deputation arrived from Montezuma, consisting of two of his nephews and a numerous retinue of nobles, bringing magnificent presents; and he determined to proceed at once to Mexico. Before setting out for the capital, he addressed to the Emperor, Charles the Fifth, his first despatch, of which no copy is extant; but from a reference to it in the second, we learn that it bore date on the 16th of July, 1519. Dr. Robertson tells us, in the preface to his "*History of America*," that having searched for it without success in Spain, it occurred to him that, as the Emperor was about setting out for Germany when the messengers from Cortés arrived in Europe, it might be in the imperial library at Vienna. Accordingly, through the British ambassador, he obtained an order that a copy should be sent to him. It was ascertained, however, that the document was not there; but an authentic copy of the letter of the magistrates of Vera Cruz, of which Bernal Diaz speaks, and which was transmitted to Charles the Fifth at the same time, was forwarded to Robertson, and is used in his history.

What is wanting in the direct narrative of Cortés is supplied by the contemporary authors, to whom we have already alluded. Gomara was the chaplain of the expedition, and seems to have been the authority on whom Robertson mainly relied. He is, also, very favorably noticed by Mr. Folsom, who mentions that there is an imperfect translation of his work, under the title of "*The Pleasant Historie of the Conquest of the West India*," &c. Bernal Diaz, who, though in a subordinate station, was an actor in the events which he narrates, wrote his work in 1572, in the city of Guatemala. He was, at the time, one of five survivors of the expedition, all of whom, after moralizing on the vanity of fame, he tells us, were "very old, and bowed down with infirmities, and very poor and with a heavy charge of sons to provide for, and of daughters to marry off, and grandchildren

to maintain, and little wherewith to do it withal." His object avowedly was to repair the injustice of other historians, all of whom, he remarks, say "Cortés discovered," "Cortés conquered," but make no mention of those through whom these results were effected. The book, though immethodical, is written with great apparent sincerity, and is replete with interest.

Cortés sent to the Emperor, with his first despatch, all the gold and other valuable commodities, which he had been enabled to collect, having induced the soldiers to relinquish their share for the purpose. The enumeration of the articles, most of which were presents from Montezuma, is even now astonishing from the variety, elegance, and richness of the workmanship ascribed to them. The existence of books, the characters of which resembled Egyptian hieroglyphics, of which characters specimens, in columns of porphyry and basalt, are still to be seen in the Mexican States, attracted the attention of the Spanish *savans*. Four Mexican nobles and two native women were also sent to Europe.

But though the messengers, accompanied by the father of Cortés, who seems to have been a man of sufficient consideration to afford efficient aid to his son, were favorably received by the Emperor, the affairs of America were not yet deemed of so much importance as to command the attention of a sovereign, who was engrossed by the more dazzling pursuits of European ambition, or to induce him personally to arbitrate between Velasquez and Cortés. In the absence of Charles, Fonseca, Bishop of Burgos, the patron of Velasquez, and who for thirty years directed the affairs of Spanish America, was too powerful an enemy for Cortés to resist. It was not, indeed, till after the occurrence of the more brilliant events recorded in the two ensuing despatches that, by the influence of the Cardinal, afterwards Pope Adrian the Sixth, a reference was made to a special commission, composed of the grand Chancellor and other eminent persons, which resulted in a triumphant verdict in favor of Cortés.

"It was decided, that Velasquez had no other claim than for the money he had expended in the outfit of the expedition; but that by revoking the commission he had granted to Cortés, he had left him free to act as he should judge best for the royal service with the ships and men, which for the most part he had raised and equipped at his own expense and that of his friends.

This decision was fully approved by the Emperor, and communicated to Cortés in a royal despatch, which contained likewise information of his appointment as Governor and Captain-General of New Spain, and the most flattering encomiums on his conduct. Other despatches were sent at the same time to Diego Velasquez and Francisco de Garay, censuring their past proceedings, and commanding them to desist from any future interference with the affairs of New Spain. These despatches were all dated the 22d of October, 1522. A more signal triumph could not have been achieved, which, while it gave additional lustre to the victorious career of Cortés, carried dismay to the minds of his great opponents, Fonseca and Velasquez, both of whom died not long after, in comparative disgrace."— pp. 34, 35.

The second despatch of Cortés is dated at Segura de la Frontera, on the 30th of October, 1520, and gives an account of his departure from Cempoal with fifteen horse and three hundred infantry, one hundred and fifty men and two horses being left at Vera Cruz. Cortés further says, that the whole province of Cempoal, with fifty thousand warriors and fifty towns and fortresses, was firm in its allegiance to his Majesty, the Cempoallans begging him to protect them against the mighty lord, who took their sons to be slain and offered as sacrifices to idols.

After describing how he had punished, as the necessity of the case and the service of his Majesty required, the delinquents who had been detected in the attempt to seize a brigantine, in order to send information to Velasquez that he had despatched a ship to the Emperor, Cortés gives, in a few words, an account of a measure which left to the Spaniards no alternative but to conquer or die.

"Besides those who, from having been the servants and friends of Velasquez, wished to leave the country, there were others that entered into the same views, on beholding the great number and power of the people of the country, while the Spaniards were so few and inconsiderable. Believing, therefore, that if I left the ships there (at Vera Cruz) they would mutiny, and all be induced to depart, leaving me almost alone, and by this means the great service rendered to God and your Majesty be made of no avail; I determined, under the pretext that the ships were not seaworthy, to cause them to be stranded on the coast; thus taking away all hope of leaving the country, I pursued my route with greater feelings of security, having no fears that after our

backs were turned, the people I had left at Vera Cruz would desert me." — p. 41.

Cortés also shows how he contrived, at this time, to rid himself of the expedition under Francisco de Garay, the Governor of Jamaica, who had manifested some disposition to interfere with his exclusive colonization of the coast.

The Spaniards were well received in the several provinces and towns through which they passed, which were very populous and all subject to Montezuma, or, as the name is invariably written by Cortés, Mutezuma. At Yztecmasitán, according to the despatch, the residence of the cacique was surrounded by a larger fortress than was to be found in half of Spain, and which was well defended by walls, barbicans, and moats, while his dominions were covered with inhabitants for three or four leagues without interruption. In this place Cortés remained three days, in order to await the return of messengers, Cempoallans, whom he had sent to the Tlascalans, a people, who, though their country was on all sides surrounded by the Mexicans, had never been conquered by them.

On reaching the frontiers of Tlascala, whither he went before the return of his embassy, Cortés met with a wall which was six miles long, of dry stone, nine feet high and twenty feet thick, surmounted throughout its whole extent by a breastwork a foot and a half thick. Soon after entering this territory, which possessed a population of 500,000, and had, as we have said, always successfully resisted the great Mexican empire, Cortés was engaged in several conflicts, in one of which, he says, that he was opposed to 149,000 men, who in four hours were so signally defeated as no longer to be able to annoy the Spanish camp. In none of these engagements did the invaders lose a single man, though they destroyed numerous towns and many thousand houses, besides killing and making prisoners large numbers of the natives. On one occasion, Cortés attacked, with one hundred foot and his small body of cavalry, a place which contained, according to his statement, 20,000 houses. The subjection of the province was, of course, soon effected, and the Captain-general of the Tlascalans came to the conqueror, and solicited, in the name of the caciques, that the troops of the state might be admitted into the service of his Majesty. This was a most important alliance for Cortés, and was probably

essential to the success of his movement against Montezuma, in which expedition the Tlascalans accompanied him with all their forces, while they remained faithful to him on that reverse of fortune, which compelled him temporarily to abandon the city.

Of Tlascala a description is given in the *Despatches*, which, with the account of Mexico, will afford no bad means of judging of the existing civilization of the countries of New Spain, at the time of the Conquest.

"I remained," says Cortés, "in my quarters and camp for six or seven days, as I dared not trust them; but when they invited me to visit a large city* in which resided all the principal men of the province, who came to urge me to make them a visit, saying that I should be better received and more abundantly supplied with what was necessary there than in camp; and when they expressed their mortification that I should be so poorly lodged, considering me as a friend, and themselves as well as myself subjects of your Highness: in compliance with their request I went to the city, which was six leagues from my quarters and camp. This city is so extensive and so well worthy of admiration, that although I omit much that I could say of it, I feel assured that the little I shall say will be scarcely credited, since it is larger than Granada, and much stronger, and contains as many fine houses and a much larger population than that city did at the time of its capture; and it is much better supplied with the products of the earth, such as corn, and with fowls and game, fish from the rivers, various kinds of vegetables, and other excellent articles of food. There is in this city a market, in which every day thirty thousand people are engaged in buying and selling, beside many other merchants who are scattered about the city. The market contains a great variety of articles both of food and clothing, and all kinds of shoes for the feet; jewels of gold and silver, and precious stones, and ornaments of feathers, all as well arranged as they can possibly be found in any public squares or markets in the world. There is much earthenware of every style and a good quality, equal to the best of Spanish manufacture. Wood, coal, edible and medicinal plants, are sold in great quantities. There are houses where they wash and shave the head as barbers, and also for baths. Finally, there is found among them a well-regulated police; the people are rational and well disposed, and altogether greatly superior to the most civilized African nation. The country

* It still bears the name of Tlascala, though much decayed.

abounds in level and beautiful valleys, all tilled and sown, without any part lying unimproved. In its constitution of government that has existed until the present time, it resembles the states of Venice, Genoa, and Pisa ; since the supreme authority is not reposed in one person. There are many nobles, all of whom reside in the city ; the common people are laborers, and the vassals of the nobility, but each one possesses land of his own, some more than others. In war, all unite and have a voice in its management and direction. It may be supposed, that they have tribunals of justice for the punishment of the guilty ; since when one of the natives of the province stole some gold of a Spaniard, and I mentioned the circumstance to Magiscacin, the most powerful of the nobility, they made search for the thief, and traced him to a city in the neighbourhood called Churultecal (Cholula), from whence they brought him prisoner, and delivered him to me with the gold, saying that I must have him punished. I acknowledged in suitable terms the pains they had taken in the matter, but remarked to them, that since the prisoner was in their country, they should punish him according to their custom, and that I chose not to interfere with the punishment of their people while I remained among them. They thanked me, and taking the man, carried him to the great market, a town crier making public proclamation of his offence ; they then placed him at the base of a structure resembling a theatre, which stands in the midst of the market-place, while the crier went to the top of the building and with a loud voice again proclaimed his offence ; whereupon the people beat him with sticks until he was dead. We likewise saw many persons in prison, who were said to be confined for theft and other offences they had committed. There are in this province, according to a report made by my orders, five hundred thousand inhabitants, besides those in another small province adjacent to this, called Guazincango, who live in the same manner, not subject to any native sovereign, and are not less the vassals of your Highness than the people of Tascalteca (Tlascala).—pp. 61–63.

In announcing the arrival of ambassadors from Mexico, and the discussions with them and the Tlascalans, who were mutually intent on each other's destruction, Cortés instructs us in his policy, and indicates his reliance for success not less on those dissensions than on the small military force, with which he had begun his conquests.

“I was not a little pleased,” says he, “on seeing their want of harmony, as it seemed favorable to my designs, and would enable me to bring them more easily into subjection, according

to the common saying *De Monte*, &c. I likewise applied to this case the authority of the Evangelist, who says, 'Every kingdom divided against itself shall be rendered desolate;' and I dissembled with both parties, expressed privately my acknowledgments to both for the advice they gave me, and giving each of them credit for more friendship towards me than I experienced from the other." — p. 64.

After a narrow escape at Cholula, from which the Spaniards were preserved by Doña Marina, who had learned from a native female the plan of the meditated attack, and which, as usual, Cortés contrived to turn to his own advantage, he entered the city of Temixtitlan (Mexico), as a guest. Montezuma, whose whole policy had been vacillating in the extreme, made every effort to divert the Spaniards from visiting the capital, and offered for that purpose magnificent presents, the natural effect of which, however, was only to render stronger the inducements for conquest.

The following is the writer's account of his entrance into Mexico, as well as of the reception given him by Montezuma, who seems thus early to have apprehended the fate of his empire, to which he attempted to reconcile himself by reference to a tradition, of which the conqueror, on his side, was nothing loth to take advantage.

"When we passed the bridge, the Señor Mutezuma came out to receive us, attended by about two hundred nobles, all barefooted and dressed in livery, or a peculiar garb of fine cotton, richer than is usually worn; they came in two processions in close proximity to the houses on each side of the street, which is very wide and beautiful, and so straight that you can see from one end of it to the other, although it is two thirds of a league in length, having on both sides large and elegant houses and temples. Mutezuma came through the centre of the street, attended by two lords, one upon his right, and the other upon his left hand, one of whom was the same nobleman who, as I have mentioned, came to meet me in a litter; and the other was the brother of Mutezuma, lord of the city of Iztapalapa, which I had left the same day; all three were dressed in the same manner, except that Mutezuma wore shoes, while the others were without them. He was supported on the arms of both, and as we approached, I alighted and advanced alone to salute him; but the two attendant lords stopped me to prevent my touching him, and they and he both performed the ceremony of kissing the ground; after which he directed his brother who accompa-

nied him to remain with me ; the latter accordingly took me by the arm, while Mutezuma, with his other attendant, walked a short distance in front of me, and after he had spoken to me, all the other nobles also came up to address me, and then went away in two processions with great regularity, one after the other, and in this manner returned to the city. At the time I advanced to speak to Mutezuma, I took off from myself a collar of pearls and glass diamonds, and put it around his neck. After having proceeded along the street, one of his servants came bringing two collars formed of shell fish, enclosed in a roll of cloth, which were made from the shells of colored prawns or periwinkles, held by them in high estimation ; and from each collar depended eight golden prawns, finished in a very perfect manner, about a foot and a half in length.* When these were brought, Mutezuma turned towards me and put them round my neck ; he then returned along the street in the order already described, until he reached a very large and splendid palace, in which we were to be quartered, which had been fully prepared for our reception. He there took me by the hand and led me into a spacious saloon, in front of which was a court, through which we entered. Having caused me to sit down on a piece of rich carpeting, which he had ordered to be made for his own use, he told me to wait his return there, and then went away. After a short space of time, when my people were all bestowed in their quarters, he returned with many and various jewels of gold and silver, feather-work, and five or six thousand pieces of cotton cloth, very rich and of varied texture and finish. After having presented these to me, he sat down on another piece of carpet, they had placed for him near me, and being seated he discoursed as follows :—

“ It is now a long time since, by means of written records, we learned from our ancestors that neither myself nor any of those who inhabit this region were descended from its original inhabitants, but from strangers who emigrated hither from a very distant land ; and we have also learned that a prince, whose vassals they all were, conducted our people into these parts, and then returned to his native land. He afterwards came again to this country, after the lapse of much time, and found that his people had intermarried with the native inhabitants, by whom they had many children, and had built towns in which they resided ; and when he desired them to return with him, they were unwilling to go, nor were they disposed to acknowledge him as

* They are still called prawns (*camazones*), corresponding in some degree to strings of coral.

their sovereign ; so he departed from the country, and we have always heard that his descendants would come to conquer this land, and reduce us to subjection as his vassals ; and, according to the direction from which you say you have come, namely, the quarter where the sun rises, and from what you say of the great lord or king who sent you hither, we believe and are assured that he is our natural sovereign, especially as you say that it is a long time since you first had knowledge of us. Therefore be assured that we will obey you, and acknowledge you for our sovereign in place of the great lord whom you mention, and that there shall be no default or deception on our part. And you have the power in all this land, I mean wherever my power extends, to command what is your pleasure, and it shall be done in obedience thereto, and all that we have is at your disposal. And since you are in your own proper land and your own house, rest and refresh yourselves after the toils of your journey, and the conflicts in which you have been engaged, which have been brought upon you, as I well know, by all the people from Puntunchan to this place ; and I am aware that the Cempoallans and Tlascalans have told you much evil of me, but believe no more than you see with your own eyes, especially from those who are my enemies, some of whom were once my subjects, and having rebelled upon your arrival, make these statements to ingratiate themselves in your favor. These people, I know, have informed you that I possessed houses with walls of gold, and that my carpets and other things in common use were of the texture of gold ; and that I was a god, or made myself one, and many other such things. The houses you see are of stone and lime and earth.’ And then he opened his robes and showed his person to me, saying, ‘ You see that I am composed of flesh and bone like yourselves ; and that I am mortal, and palpable to the touch,’ at the same time pinching his arms and body with his hands ; ‘ see,’ he continued, ‘ how they have deceived you. It is true I have some things of gold, which my ancestors have left me ; all that I have is at your service whenever you wish it. I am now going to my other houses where I reside ; you will be here provided with every thing necessary for yourself and your people, and will suffer no embarrassment, as you are in your own house and country.’ I answered him in respect to all that he had said, expressing my acknowledgments, and adding whatever the occasion seemed to demand, especially endeavouring to confirm him in the belief that your Majesty was the sovereign they had looked for ; and after this he took his leave, and having gone, we were liberally supplied with fowls, bread, fruits, and other things required for the use of our quar-

ters. In this way, I was for six days amply provided with all that was necessary, and visited by many of the nobility." — pp. 85 – 89.

According to the accounts transmitted to us by the first writers on Mexico, the race that inhabited the country, at the time of the arrival of the Spaniards, had come from the north of California, and had only resided in their new abodes about three centuries. The city of Temixtitlan was not founded till 1325, and was built originally very much like the Queen of the Adriatic, on small islands in the water ; and even the gardens, on which the first inhabitants relied for the products of the earth, were of artificial formation. In the course of time, Temixtitlan rendered tributary, or incorporated into its dominions, most of the neighbouring states, and extended its territory to both oceans. The kingly office had only existed since 1352, and Montezuma was the ninth sovereign in succession.

Of the magnitude of the Mexican empire, the accounts are not altogether consistent. De Solis assigns to it a territory reaching from Panama to California. Humboldt, after Clavigero, restricts its limits to the river Guasacualco on the east, and the port of Zacatula, on the Pacific ocean, on the west, which bounds did not include the whole of Anahuac. The population of the country is equally a matter of conjecture, — quite as much so as that of ancient Egypt. But though it was undoubtedly much greater than at the present day, we are not to believe the Spanish priests, who state that, from 1524 to 1540, six millions were baptized. As to the number of inhabitants in the city, the estimates vary from 60,000 to a million. "In the vale of Mexico," says Clavigero, "besides the three courts of Mexico, Acolhuacan, and Tlacopan, there were forty eminent cities and innumerable hamlets." "Fifty thousand vessels traversed the Mexican lakes." Of these lakes, it may be remarked, that the natural beauty, as well as the commercial facilities, have been in no small degree impaired since the time of Cortés, by the measures for preventing inundations, that were commenced even under the Indian emperors, of whose works there are still some remains.

From the description of the capital and court of Montezuma, we should be glad to give copious extracts, not only from their interesting character, but as fair specimens of

the translation ; but our limits make it necessary to omit many passages that we had marked for quotation.

“ This province is in the form of a circle, surrounded on all sides by lofty and rugged mountains ; its level surface comprises an area of about seventy leagues in circumference, including two lakes, that overspread nearly the whole valley, being navigated by boats more than fifty leagues round. One of these lakes contains fresh, and the other, which is the larger of the two, salt water. On one side of the lakes, in the middle of the valley, a range of highlands divides them from one another, with the exception of a narrow strait which lies between the highlands and the lofty sierras. This strait is a bow-shot wide, and connects the two lakes ; and by this means a trade is carried on between the cities and other settlements on the lakes, in canoes, without the necessity of travelling by land.

“ This great city of Temixtitlan [Mexico] is situated in this salt lake ; and, from the main land to the denser parts of it, by whichever route one chooses to enter, the distance is two leagues. There are four avenues or entrances to the city, all of which are formed by artificial causeways, two spears' length in width. The city is as large as Seville or Cordova ; its streets, (I speak of the principal ones,) are very wide and straight ; some of these, and all the inferior ones, are half land and half water, and are navigated by canoes. All the streets, at intervals, have openings, through which the water flows, crossing from one street to another ; and, at these openings, some of which are very wide, there are also very wide bridges, composed of large pieces of timber, of great strength, and well put together ; on many of these bridges, ten horses can go abreast.

“ This city has many public squares, in which are situated the markets, and other places for buying and selling. There is one square twice as large as that of the city of Salamanca, surrounded by porticoes, where are daily assembled more than sixty thousand souls, engaged in buying and selling ; and where are found all kinds of merchandise that the world affords, embracing the necessaries of life — as, for instance, articles of food, as well as jewels of gold and silver, lead, brass, copper, tin, precious stones, bones, shells, snails, and feathers. There are also exposed for sale wrought and unwrought stone ; bricks, burnt and unburnt ; timber, hewn and unhewn, of different sorts. There is a street for game, where every variety of birds found in the country are sold.” — “ Painters' colors, as numerous as can be found in Spain, and as fine shades ; deerskins, dressed and undressed, dyed different colors ; earthenware, of a large

size and excellent quality ; large and small jars, jugs, pots, bricks, and an endless variety of vessels, all made of fine clay, and all or most of them glazed and painted ; maize, or Indian corn, in the grain and in the form of bread — preferred in the grain, for its flavor, to that of the other islands and terra firma ; patés of birds and fish ; great quantities of fish, fresh, salt, cooked, and uncooked ; the eggs of hens, geese, and of all the other birds I have mentioned, in great abundance, and cakes made of eggs ; finally, every thing that can be found throughout the whole country is sold in the markets, comprising articles so numerous that, to avoid prolixity, and because their names are not retained in my memory, or are unknown to me, I shall not attempt to enumerate them. Every kind of merchandise is sold in a particular street or quarter assigned to it exclusively, and thus the best order is preserved. They sell every thing by number or measure ; at least, so far, we have not observed them to sell any thing by weight. There is a building in the great square that is used as an audience-house, where ten or twelve persons, who are magistrates, sit and decide all controversies that arise in the market, and order delinquents to be punished. In the same square, there are other persons, who go constantly about among the people, observing what is sold, and the measures used in selling ; and they have been seen to break measures that were not true.

“ This great city contains a large number of temples,* or houses for their idols, very handsome edifices, which are situated in the different districts and the suburbs ; in the principal ones, religious persons of each particular sect are constantly residing, for whose use, beside the houses containing the idols, there are other convenient habitations.” — “ Among these temples, there is one which far surpasses all the rest, whose grandeur of architectural details no human tongue is able to describe ; for, within its precincts, surrounded by a lofty wall, there is room enough for a town of five hundred families. Around the interior of this enclosure, there are handsome edifices, containing large halls and corridors, in which the religious persons attached to the temple reside. There are full forty towers, which are lofty and well built, the largest of which has fifty steps leading to its main body, and is higher than the tower of the principal church at Seville. The stone and wood of which they are constructed are so well wrought in every part, that nothing could be better done ; for the interior of the chapels containing the idols consists of curious imagery, wrought in stone, with plaster ceilings,

* “ The original has the word *mezquitas*, mosques ; but, as that term is applied, in English, exclusively to Mahometan places of worship, one of more general application is used in the translation.”

and wood-work carved in relief, and painted with figures of monsters and other objects. All these towers are the burial-places of the nobles, and every chapel in them is dedicated to a particular idol, to which they pay their devotions.

“There are three halls in this grand temple, which contain the principal idols; these are of wonderful extent and height, and admirable workmanship, adorned with figures sculptured in stone and wood; leading from the halls are chapels with very small doors, to which the light is not admitted, nor are any persons except the priests, and not all of them. In these chapels are the images or idols, although, as I have before said, many of them are also found on the outside; the principal ones, in which the people have greatest faith and confidence, I precipitated from their pedestals, and cast them down the steps of the temple, purifying the chapels in which they had stood, as they were all polluted with human blood, shed in the sacrifices. In the place of these I put images of our Lady and the Saints, which excited not a little feeling in Mutezuma and the inhabitants, who at first remonstrated.

“In regard to the domestic appointments of Mutezuma, and the wonderful grandeur and state that he maintains, there is so much to be told, that I assure your Highness, I know not where to begin my relation, so as to be able to finish any part of it. For, as I have already stated, what can be more wonderful, than that a barbarous monarch, as he is, should have every object found in his dominions imitated in gold, silver, precious stones, and feathers; the gold and silver being wrought so naturally as not to be surpassed by any smith in the world; the stone-work executed with such perfection that it is difficult to conceive what instruments could have been used; and the feather-work superior to the finest productions in wax or embroidery.

“There are fortified places in all the provinces, garrisoned with his own men, where are also stationed his governors and collectors of the rents and tribute rendered him by every province; and an account is kept of what each is obliged to pay, as they have characters and figures made on paper that are used for this purpose. Each province renders a tribute of its own peculiar productions, so that the sovereign receives a great variety of articles from different quarters. No prince was ever more feared by his subjects, both in his presence and absence. He possessed, out of the city as well as within, numerous villas, each of which had its peculiar sources of amusement, and all were constructed in the best possible manner for the use of a great prince and lord. Within the city, his palaces were so wonderful that it is hardly possible to describe their beauty and

extent; I can only say, that in Spain there is nothing equal to them.

“There was one palace, somewhat inferior to the rest, attached to which was a beautiful garden, with balconies extending over it, supported by marble columns, and having a floor formed of jasper, elegantly inlaid. There were apartments in this palace sufficient to lodge two princes of the highest rank with their retinues. There were likewise belonging to it ten pools of water, in which were kept the different species of water-birds found in this country, of which there is a great variety, all of which are domesticated; for the sea-birds, there were pools of salt water, and, for the river-birds, of fresh water. The water is let off at certain times to keep it pure, and is replenished by means of pipes. Each species of bird is supplied with the food natural to it, which it feeds upon when wild. Thus, fish is given to birds that usually eat it; worms, maize, and the finer seeds, to such as prefer them. And I assure your Highness, that to the birds accustomed to eat fish there is given the enormous quantity of ten arrobas every day, taken in the salt lake. The emperor has three hundred men, whose sole employment is to take care of these birds; and there are others, whose only business is to attend to the birds that are in bad health.”—pp. 111–122.

There were regular couriers established, at stated distances, on the principal routes, so that intelligence could be carried from one to another with great rapidity throughout the empire. The communications were made by painting the objects to be described on cloths of cotton. It was in this manner, that Montezuma was apprized of the arrival of Cortés, and of his victory at Tabasco.

The abilities of the Conqueror cannot be appreciated without a reference to the difficulties, in which he was involved by the continued hostility of Velasquez. In his wars with the natives, he enjoyed the superiority which European weapons afforded, and, while the Indians were unacquainted with gunpowder, they not unreasonably ascribed supernatural powers to those who could create, as it seemed, the thunder and lightning of heaven. But when, far in the interior of a foreign land, his handful of men were surrounded in a walled town by hundreds of thousands, whose first feelings of reverence and awe had been converted into implacable hatred, and whom daily intercourse and the means of observing the practice of all the European vices

had taught that their invaders were mortal, he received intelligence of the arrival of a body of his countrymen, double the number of his own forces, and commanded by a rival, who enjoyed those advantages which the sanction of a regular authority confers, and which Cortés could with difficulty claim ; when we learn that, from such embarrassments, he found means not only to extricate himself, but to turn the occurrence to his own advantage, and render it the source and foundation of new successes, we cannot fail to recognize in him an indomitable energy of character, and those resources adequate to every emergency, which are only to be found in men of the highest order of genius.

Though Narvaez was invested with the authority of Governor, derived from the same power that had given the original commission to Cortés, the latter determined at once to treat his rival as a usurper. With as large a force as he could collect, but which, after leaving five hundred men in garrison in Mexico, only amounted to seventy followers, or, including those added at Cholula, to two hundred and fifty, he proceeded to meet Narvaez at Cempoal. What occurred after his arrival in the neighbourhood of that city, is best told in the language of the Despatch.

“ I gave orders to Gonzalo de Sandoval, alguazil mayor, to arrest the said Narvaez, and those persons who styled themselves *alcaldes* and *regidores* ; and for this purpose I placed eighty men under his command to proceed with him to make the arrest ; — taking myself one hundred and seventy others, (the whole number being two hundred and fifty,) without artillery or horse, but on foot, I followed the alguazil mayor to support him, in case the said Narvaez and the rest should choose to resist the execution of his process.

“ On the same day that the alguazil mayor and myself arrived with our party near the city of Cempoal, where Narvaez had quartered his army, he received information of our approach, and sallied out with eighty horse and five hundred foot, leaving the rest of his force within their quarters in the great temple of the city, which was strongly fortified. Having marched out within a league of the place where we were, and not finding us, he concluded that the Indians who had given the alarm had deceived him, and returned to the city, taking the precaution to have his whole force in readiness, and posting two men about a league from the city to give notice of our approach. As I was desirous of avoiding as much as possible all offensive appearances, it

seemed to me that it would be best to go by night, without being discovered, if practicable, directly to the quarters of Narvaez, (with the situation of which we were all well acquainted,) and seize him at once; for I thought that as soon as he was taken prisoner, there would be no further trouble.

"On Easter day, a little after midnight, I marched for the quarters of Narvaez, and before I met with the men he had posted outside of the city, the scouts I had sent forward took one of them prisoner, but the other made his escape; from the former I received information of the state of things in the city. I then hastened as much as possible, to prevent the one who had escaped from arriving before me, and giving notice of my approach; but notwithstanding my exertions, he was half an hour in advance of me. When I reached the city, Narvaez had all his men in full armor, and the horses caparisoned, in complete readiness, and two hundred men guarded every square. We moved so silently that when we were at last discovered, and the alarm was given, I had entered the square in which were the quarters occupied by the whole army, and had taken possession of three or four towers, besides the other strong buildings that stood in the same square. In one of these towers, where Narvaez was quartered, the staircase was defended by nineteen matchlocks; but we mounted it with such rapidity that they had not time to put fire to more than one of the pieces, which, it pleased God, did not go off, nor occasion any injury. So our men ascended the tower until they reached the apartment of Narvaez, where he and about fifty of his men fought with the alguazil mayor and the rest that had gone up, and although the latter called upon them many times to surrender to your Highness, they refused until the building was set on fire, when they at last gave in.

"While the alguazil mayor was employed in taking Narvaez, I, with the rest of our force, who came to their assistance, guarded the ascent of the tower, and caused the artillery to be seized and used for our defence. Thus, without the loss of more than two men, who were killed by the discharge of a gun, all those that we wished to arrest were taken, and the rest deprived of their arms, promising obedience to your Majesty's officers of justice." — pp. 141, 142.

While these events were occurring at Cempoal, the Mexicans were not idle; but having confined the Spanish garrison to their quarters, they collected their forces with a view to the entire expulsion of the invaders. Though Cortés came back to the city with a greatly increased army, recruited from the followers of Narvaez, he was immediately attacked on entering the fortress, and was soon compelled,

after repeated conflicts, during one of which Montezuma, still a prisoner in the hands of Cortés, was killed by his own people, to abandon it, and retreat to the province of Tlascalala. Indeed, so determined were the Mexicans to expel the Spanish troops, that they made a deliberate calculation that they could afford to sacrifice twenty-five thousand natives to effect the destruction of one Spaniard. Nor was there only the ordinary desire to recover their liberty, that impelled them to this course. They were immediately stimulated to revenge, says Bernal Diaz, by the acts of Alvarado, who commanded in the absence of Cortés, and who fell upon the Mexicans, while they were holding a feast in honor of their gods, for which he had given consent.

Such were the disasters attendant on the precipitate retreat of Cortés, in which he lost during one night one hundred and fifty Spaniards and two thousand of his Indian auxiliaries, not to speak of forty-five horses, which, like elephants in the wars of antiquity, were then much more prized than any number of natives, that the anniversary of his departure has ever since been distinguished as the *noche triste* in the Spanish-Mexican calendar. And had not the Tlascalans, who, at that time, could hardly have been ignorant of the ultimate designs of the Spaniards, preferred the destruction of Mexico to their own independence, the fate of Cortés, in spite of all his former brilliant successes, would have been sealed. As it was, however, he was most kindly received on reaching the limits of their state, "and assured, that he might rely on their proving sure and fast friends to him, until death." Cortés availed himself of the hospitality of his generous allies, till his forces were sufficiently recruited to go in search of new victories; and this letter, after recounting several successes, and the subjugation of new provinces, concludes with an account of the preparations that he was making to obtain the command of the lakes, and to regain possession of Mexico.

The third Despatch, which is dated at the city of Cuyoacan, where the Spaniards established themselves during the rebuilding of the capital, commences with a narrative of the events which preceded the fall of Mexico. The termination of the war was effected only by the entire destruction of the most splendid city of the New World. The forces engaged in this affair were reviewed in the city of Tlascalala, on

the second day after Christmas, 1520, and found to consist of forty horse and five hundred foot. We shall give the speech of Cortés to his troops on this occasion, which is remarkable for the effrontery with which he asserts the justice of his cause, and for the apparent sincerity with which he brands, as rebels to his Catholic Majesty, those whom he had deprived of their national rights, and who were guilty of no other offence than that of having heaped largesses on their invaders, to be employed for their own destruction.

“ I said, that they must know as well as myself, it was to promote the service of your sacred Majesty that we have established colonies in this country ; and they also knew, that all the natives of it had acknowledged themselves your Majesty’s vassals, and as such had for some time persevered in receiving good offices from us, and we the same from them ; and that without any cause, the people of Culua, including those in the great city of Temixtitan, and all the other provinces subject to them, had not only rebelled against your Majesty, but even murdered several persons who were our kindred and friends, and had driven us entirely out of their land ; and that they must likewise recollect what dangers and toils we had encountered, and at the same time be sensible of how great service it would be to God and your Catholic Majesty to endeavour to recover what had been lost, having on our part the justest cause and the best reasons for so doing, as we should both contend for the increase of our faith against a barbarous nation, and promote the service of your Majesty. Induced also by a regard to our own safety, and having the coöperation of many of the friendly natives, there were powerful causes to animate our hearts, and I therefore begged them to engage cheerfully in the enterprise, and take fresh courage.” — pp. 201, 202.

The Spanish forces and munitions were somewhat augmented before they reached Mexico, so that on the 28th of April, 1521, they consisted of eighty-six horse, one hundred and eighteen archers and musketeers, seven hundred foot, armed with swords and bucklers, together with three heavy iron cannon, and fifteen small copper field-pieces. With these resources the investment of the city was made. For the attack, thirteen brigantines also had been built, and with them a great victory over the Indian canoes was achieved. We shall not attempt to give a detailed account of the several encounters between the Spaniards and their allies, amounting to forty thousand men on the one side, and

the innumerable host of natives on the other, whom Cortés, “considering that they were rebels, and had discovered so strong a determination to defend themselves or perish,” had no difficulty in satisfying his conscience that it was his duty to exterminate. One extract will show the commencement of the work of destruction.

“That they might become more sensible of their situation, I this day,” says Cortés, “set fire to those noble edifices in the great square, where on the former occasion, when they expelled us from the city, the Spanish troops and myself were quartered. These buildings were so extensive that a prince with more than six hundred persons in his family and domestic retinue would have found ample space for their accommodation. There were others adjacent to these, which, although somewhat smaller, were more gay and elegant, and served Mutezuma for aviaries, in which he had every variety of birds known in that country. Although it grieved me much, yet as it grieved the enemy more, I determined to burn these palaces; whereupon they manifested great sorrow, as well as their allies from the cities on the lake, because none of them had supposed we should be able to penetrate so far into the city. This struck them with terrible dismay.” — p. 280.

The fighting was desperate, and the siege was continued for seventy-five days, during which the Spaniards met with several losses, and Cortés himself was often exposed to imminent hazard. On one occasion, about forty Spaniards, and more than one thousand of their Indian allies, were slain; but this was the last opportunity that the Mexicans had of rejoicing for a victory. This check induced the Spanish chief to adopt a plan, which brought about the utter destruction of the city. As he gained possession of the several streets, he resolved to destroy all the houses on both sides, so as to leave only open ground behind him, and to convert the canals and other openings from the lakes into firm land. The Mexicans resisted all overtures of peace, desiring death in preference. Cortés, on his side, was very anxious for an arrangement, that the inhabitants might not throw their treasure into the waters. His measures were at last successful, and the siege was concluded, and with it the Mexican empire.

Our limits forbid any further extracts, while, with De Solis, we are disposed, for the honor of the Conqueror, to arrest our narrative at the fall of Mexico, and not to recount those

occurrences, in relation to the treatment of the high-minded but unfortunate Guautimucin, and of many of the caciques, which tend to tarnish the glory of the great Cortés. Nor on the theme of the Conquest need we further dilate. The American reader will, ere long, have an opportunity of perusing, from the pen of one of our accomplished countrymen, whose account of the reign of the Spanish sovereigns immediately preceding that of Charles the Fifth has already enrolled him among the classic historians of the language, the fullest details of this remarkable event. To Mr. Prescott, it is understood, that all documents, as well in the mother country as in America, that tend to illustrate his subject, have been laid open, and his narrative can hardly fail to render uninteresting any discussions founded solely on sources of information generally accessible, unless, like the letters of Cortés, they emanated from those directly engaged in the mighty enterprise.

The Despatches continue the history of Mexico to the 15th of October, 1524 ; and the fourth is dated from Temixtitan (Mexico), after Cortés had received his appointment of Governor and Captain-general of New Spain. It points out the manner in which he disposed of Tapia, whom he induced voluntarily to retire, notwithstanding the royal commission which he had received, and of Garay, who had again landed in the country with a considerable force, but with whom Cortés effected his purpose by means of a proposed matrimonial alliance. It includes accounts of the exploration of the mining districts, of the rebuilding of the capital on a magnificent scale, for which the labor of the Indians was put in requisition, and of the course which was pursued in order to bring the whole country into subjection to the crown of Spain. Cortés also refers to the suppression of the rebellion at Panuco, and to the expedition to Honduras, on which occasion the unfortunate Guautimucin was hanged, to the attempts made for the discovery of the supposed strait connecting the two oceans, and to his early explorations of the South Sea, or Pacific ocean. It likewise contains several suggestions for the internal administration of the provinces, and for a religious establishment.

As to the passage connecting the two oceans, which was so great an object of solicitude three hundred years ago, and which Cortés, in a letter written at Valladolid, in 1521, by

the Emperor Charles the Fifth, was particularly enjoined to search for, — it has been ascertained, that it can be found only by an artificial construction. But the importance of the communication is not the less on that account. The subject of the formation of a canal for this purpose attracted the notice of the Spanish government at an early period, and, thirty-five years ago, the matter was particularly examined by Humboldt, who indicated five places where it might be cut. It also formed one of the topics proposed for discussion at that Congress of the States of America, which was to have been held at Panamá, during the administration of President J. Q. Adams ; and it has more than once occupied the attention of our Federal legislature, as well as of the governments of our sister republics. It was the object of several proposed corporations or associations, during that period when the extension of the credit system in this country and in England held out inducements for enterprises far less promising. But there is now little hope, that it will soon be undertaken by the government of any country either in Europe or America ; and the report that appeared in the public journals a few weeks since, that a private commercial establishment in London, distinguished for its success and the character of its members, was about to accomplish this great work, is now contradicted. In this connexion, we cannot omit adverting to a most able paper on the subject, which has lately been published, in which the advantages to result from the work to Europe and America are set forth, and the feasibility of the several proposed routes is discussed. We refer to a letter from the accomplished minister of the United States at Berlin, addressed to Mr. Markoe, Secretary of the National Institute, and which appeared in the “*Intelligencer*” of the 19th of August last. Mr. Wheaton, in the historical summary of the projects suggested from the time of the discovery of the Pacific ocean by Balboa, or rather from the first reports of the Spanish engineers to the court of Madrid, made as early as 1528, refers to the refutation of the opinion long prevalent, though it was questioned by Baron Humboldt, that the Pacific ocean, at the isthmus of Panamá, was considerably higher than the Atlantic. The most accurate surveys, made by Mr. Lloyd, an English engineer, by order of Bolivar, in 1828 – 9, prove the error of the old idea, which is, however,

correct as to the elevation of the Red Sea above the Mediterranean, the case on which the supposition as to the Pacific and Atlantic was undoubtedly based.

We shall not dilate on the history of the Conqueror of Mexico, subsequent to the date of the last Despatch, further than to give a few of its principal incidents. Having been superseded as Governor, he went, in 1527, to Spain, where he was received with honor by the Emperor, and, by his marriage with the niece of the Duke of Bexar, became connected with several powerful families. He was created a Marquis, and Captain-general of New Spain and the provinces and coasts of the South seas, — with the power of conquering and establishing colonies, retaining the twentieth part of all his conquests for himself and his heirs. The government of New Spain, however, the object of his ardent desire, was refused to him. This, one of his contemporaries says, was owing not so much to considerations of state policy as to an affair of female pique, — another proof how frequently the most important events are influenced by trivial incidents. On occasion of his marriage, Cortés presented to the Empress, who was Regent of the kingdom, as well as to his wife, magnificent jewels; but those of the Marchioness far surpassed those given to the Empress, an indignity which the latter never forgave. He returned to New Spain, but resided principally on his estate, directing, however, several expeditions to the South seas, in one of which he embarked in person, in 1536, and discovered California. Unable to obtain his proper position in the country which he had conquered, he went again to Castile, and even followed Charles the Fifth to Algiers, though without having any command in the expedition. He died at the age of sixty-two, when preparing to go back to America, leaving, though his political aspirations had been disappointed, large fortunes to all his children.

ART. IX. — *Travels in Egypt, Arabia Petræa, and the Holy Land*. By the REV. STEPHEN OLIN, D. D., President of the Wesleyan University. With Twelve Illustrations on Steel. New York : Harper and Brothers. 2 vols. pp. 458, 478.

WE took up these volumes with strong prepossessions in favor of their author, and with an interest in the scenes of his travels, which led us to anticipate pleasure from his narrative. We have been happy to discover in it evidences of a kind and catholic spirit, of a bland temper, of a sober judgment, and of Christian sensibility. The style of the performance is respectable, and readers to whom the information is new will be rewarded for its perusal.

But our interest in the work was neutralized in a great degree, on detecting a delinquency on the part of the writer, which we feel it our duty to expose. The following remark in the Preface has a meaning which we did not at first attach to it. After stating the care which he had taken, that the reader should be able to distinguish his own observations from those of others, he adds ; — “ I wish to confine this remark to my descriptions of material objects. In referring to opinions and historical facts, I have not found it practicable, nor have I thought it important, to be equally scrupulous.” Before acting on this rule to a great extent, we think he ought more scrupulously to have considered what was due to the investigations of those who had preceded him.

In preparing his work for the press, on every important point embraced in his route, our author has had the benefit of the observations of our learned countryman Dr. Robinson, as embodied in his “ Biblical Researches.” Our judgment on this great work has been already pronounced,* and fully sustained by the public sentiment and by the testimony of subsequent observers. Before the Royal Geographical Society had awarded to its author their medal, we regarded it with a degree of national pride. We look upon it as the remarkable monument of a life of great industry and extensive learning, devoted to a subject of sacred interest. We

* See *North American Review*, Vol. LIII, p. 175.

have never expected that it would become, strictly speaking, a popular work. But as a repository of careful observations, sound criticism, and valuable history, it will be with all future inquirers a standard book of reference. That Dr. Olin should have availed himself of its statements is matter neither of complaint nor surprise. But we regret to find observations, for which he was manifestly indebted to it, appearing in his work as original. We feel bound to specify a few instances.

Dr. Robinson and his companion became satisfied by their observations on Mount Sinai, that the summit pointed out by the monks could not have been the place where the Law was proclaimed "in the sight of all the people;" but that another summit, two or three miles distant, with the plain below, fully satisfied the requisitions of the scriptural narrative, and is undoubtedly the true Sinai.* This was an original discovery. Their statement was published, in a summary form, previously to Dr. Olin's visit, and their extended narrative was before him when he prepared his own. He entertains his readers with the same discovery, and supports it by the same arguments, without a single allusion to his predecessors.† The presumption in the reader's mind, of course, would be, that it was all new, and the result solely of his own observations.

We have regarded the pointing out and determination of the true character of the arch of the bridge, which connected the Temple with Mount Zion, as far the most important and striking of all Dr. Robinson's discoveries.‡ Scores of travellers had looked upon those ancient stones, and speculated as to their meaning. The true explanation was reserved for one, in whose mind the image of the ancient city lay distinct, with the bridge spanning the Tyropæon. The discovery was made in 1838, and was published immediately. Dr. Olin visited the spot in 1840, and publishes his observations in 1843. He describes the same remains, and quotes the same authorities for their character.§ And not only does he make no acknowledgment of Dr. Robinson's discovery, but he adds the following remarkable statement. "I could not

* *Biblical Researches*, Vol. I. pp. 139 - 158.

† *Travels*, Vol. I. pp. 392 - 404.

‡ *Biblical Researches*, Vol. I. pp. 424 - 428

§ *Travels*, Vol. II. pp. 258 - 268.

learn, that the most interesting and unquestionable of these remains — the massive arch of the ancient bridge — had been so much as mentioned by any modern traveller, though its existence has long been well known to European and other residents, as well as visitors.”* The first part of this sentence is to us wholly inexplicable; the remainder we know to be a mistake. We are assured, on good authority, that, in Jerusalem, the discovery is uniformly ascribed to Dr. Robinson, both by residents and travellers; and we believe that, if his name was broadly inscribed on the front of the ruin, it would not be more indelibly associated with it than it now is in the mind of the visiter. These remains, of course, had been frequently examined before; but that, previously to Dr. Robinson's visit, they had ever been connected with the ancient bridge is considerably more than Dr. Olin is authorized to affirm.

One of the most valuable portions of the “Biblical Researches” contains the writer's observations on the Dead Sea. Dr. Olin had before him the results of Dr. Robinson's extended examination, with the valuable map which a skilful cartographer had constructed from his distances and angles.† He says not a word of these, though he gives the dimensions as his own estimate. He saw the Sea only from its northern end, where, confessedly, he could not distinguish its southern extremity, and says, “I suppose the length of the Sea may be forty-five or fifty miles, and its average breadth eight miles. The greatest breadth is probably ten miles.”‡ Valuable supposition! It rests on surer data than his readers might imagine.

Dr. Robinson establishes conclusively the identity of the modern tower of David in Jerusalem with the ancient tower of Hippicus,§ which is an important point in determining the ancient topography of the city. He had permission from the governor to examine the citadel. This was denied to Dr. Olin, but he adopts the same conclusions, withholding, as usual, all acknowledgment.|| A similar suggestion, it is true, had been previously advanced, — a fact, we venture to say, known to Dr. Olin only through the “Biblical Researches.”

* *Travels*, Vol. II. p. 268.

† *Biblical Researches*, Vol. II. p. 217. Vol. III. pp. 42–45, Appendix.

‡ *Travels*, Vol. II. p. 240. § *Biblical Researches*, Vol. I. pp. 453–457.

|| *Travels*, Vol. II. pp. 274–276.

Dr. Robinson suggests, that the modern fountain of the Virgin may be the ancient Bethesda, and that the water may be conducted to it by a subterranean passage from the ancient fountain of Gihon, northwest of the city.* Dr. Olin advocates both hypotheses, and, in his apparent zeal to take away credit from Dr. Robinson, quotes Pococke as authority for both.† Pococke's language will bear no such construction. He thinks the Pool of Siloam might possibly be Bethesda.‡

In respect to the site of the Holy Sepulchre, Dr. Olin quotes Dr. Robinson fairly, in order to disprove his conclusions, in an argument of about twenty pages.§ Our readers generally would feel little interest in the discussion of the subject, which has, we conceive, been put quite at rest by a recent article of Dr. Robinson, in his "*Bibliotheca Sacra*."|| Dr. Olin advances an original theory, founded on the probable position of the Gate Genneth. We can only say, that we have examined it patiently, and discover little merit in it, except that of contracting the already scanty dimensions of the lower city. We are aware, that in thus dissenting from our author, we expose ourselves to the imputation of a "perverse spirit of skepticism," which appears to have infected some of his companions on the occasion of his visit to the reputed Sepulchre, and with the expression of which, he complains, that his "ears were wounded." "I heard," he says, "cutting sneers about Catholic mummeries and credulity, while I knelt down with a taper in my hand, to examine the hole in the top of Calvary, where the Redeemer's cross is alleged to have been planted." We regret that our author should have been disturbed in his investigations; and that "irreverent criticisms" should have attended the edifying exhibition of the President of a New England university, in the middle of the nineteenth century, kneeling down with a taper in his hand, to examine the hole where the cross stood! We are sorry, that he should have been suspected of "credulity"; we submit, that the spectacle is not a subject for "cutting sneers"; and we bespeak an indulgent consid-

* *Biblical Researches*, Vol. I. pp. 508, 514.

† *Travels*, Vol. II. pp. 152 - 154.

‡ *Description of the East*, fol. Vol. II. pp. 23, 24.

§ *Travels*, Vol. II. pp. 276 - 295.

|| No. I. pp. 154 - 202.

eration for the faith of so devout a pilgrim, who says, withal, that he "found believing far more agreeable than cold incredulity"!*

We have not attempted to specify all the passages, which we think objectionable from the writer's unwillingness to acknowledge the extent of his obligations to his predecessors. The fault pervades the work. We were more struck with it, from having once carefully examined all the popular books of travels in Palestine, which preceded the "*Biblical Researches*." The burden of every narrative was the same, — the legends of foreign monks, with little variation except in personal incidents. Dr. Robinson, it is known, struck out a new path, and arrived at more satisfactory conclusions. Now, Dr. Olin's *Travels* embody the more interesting results of the "*Researches*." How did he obtain them? — is a question which intelligent readers will ask. He appears to have possessed few facilities for making original investigations; was an invalid during his journey, as well as subsequently; and was not particularly thorough in his examinations. We are compelled to believe, that, on some important points, he is indebted to an unacknowledged use of Dr. Robinson's discoveries, arguments, and authorities. We make this statement with pain, but we should be faithless to our duty if we withheld it.

It was our purpose, in taking up this work, to give it a more extended notice, and to enter upon the discussion of some questions of political and religious interest relating to the Eastern world. But what we have now felt obliged to write has quite taken away our desire to proceed in this connexion, and for the present we dismiss the subject.

* *Travels*, Vol. II. p. 293.

ART. X. — CRITICAL NOTICES.

1. — *The First Ten Cantos of the Inferno of Dante Alighieri; newly translated into English Verse.* Boston: William D. Ticknor. 1843. 8vo. pp. 83.

WE have read these cantos of the new translation of Dante with interest and care. It is executed with considerable skill and metrical power. The undertaking is a daring one, and calls for immense study, unwearied labor, great command of language, and no small share of poetical endowment, to accomplish it successfully. From the nature of the poem, the endless variety of allusion interwoven in it, and the distant period of its composition, large portions must remain for ever obscure, except to those who have given more labor to the examination of the history of Italy during the Middle Ages, than men are commonly willing to spend on an object so remote from the pursuits of the present day. The extraordinary compression of Dante's language is somewhat repulsive to the lovers of light reading and cheap literature. The condensed language of this old poet, under which the great central fires of the intensest soul that was ever imprisoned in the human breast seem raging and ever ready to burst forth, presents startling difficulties to effeminate sciolists. To represent these cardinal qualities adequately in another language is a task of all but insuperable difficulty. The English language is capable of great condensation; but the tendency of the later literature has been somewhat like that of the currency in commercial countries — to expansion, — and he who would bring his style to the requisite brevity for a good translation of Dante must give his days and nights to the study of the old English authors, and to the reduction of all superfluous phraseology. To translate Dante is no child's play. The best powers, acting in the best moments, and applied again and again to the task, can do no more than approximate the energy, the fire, and the impressive melody of the great Florentine.

Mr. Parsons has evidently studied his author with conscientious industry, and mastered his meaning, before attempting to convey it into English. His selection of the measure of Gray's "Elegy," though it is one of the most impressive metres in our language, is perhaps a questionable deviation from the original. Mr. Parsons's versification is generally easy, fluent, and expressive, but in too many passages, his translation departs from the expression, if not the sense, of the Italian. He shows a ready perception of the poetical in style, and a good judgment in the choice of poetical words. We shall best illustrate the merits of this translation, by

giving a short passage with the original, and with the corresponding passage in Cary's version. We take a few lines, without special selection, from the ninth Canto.

"Come le rane innanzi alla nimica
Biscia per l'acqua si dileguan tutte
Finch' alla terra ciascuna s'abbica ;
Vid' io piu di mille anime distrutte
Fuggir cosi dinanzi ad un ch' al passo
Passava Stige colle piante asciutte.
Dal volto rimovea quell' aer grasso
Menando la sinistra innanzi spesso,
E Sol di quell' angoscia pareo lasso.
Ben m' accorsi ch' egli era del ciel messo,
E volsimi al maestro ; e quei fe' segno
Ch' io stessi cheto ed inchinassi ad esso.
Ahi quanto mi pareo pien di disdegno !"

PARSONS.

"As frogs before their enemy, the snake,
Quick scattering through the pool in timid shoals,
On the dank ooze a huddling cluster make,
I saw above a thousand ruined souls
Flying from one who passed the Stygian bog,
With feet unmoistened by the sludgy wave ;
Oft from his face his left hand brushed the fog,
Whose weight alone, it seemed, annoyance gave,
At once the messenger of heaven I kenned,
And toward my master turned, who made a sign
That hushed I should remain and lowly bend ;
Ah me ! how full he looked of scorn divine !"

CARY.

"As frogs
Before their foe the serpent, through the wave
Fly swiftly all, till at the ground each one
Lies on a heap ; more than a thousand spirits
Destroyed, so saw I fleeing before one
Who passed with unwet feet the Stygian sound,
He from his face removing the gross air,
Oft his left hand forth stretched, and seemed alone
By that annoyance wearied. I perceived
That he was sent from heaven ; and to my guide
Turned me, who signal made, that I should stand
Quiet and bend to him. Ah me, how full
Of noble anger seemed he."

We believe every reader will agree with us in claiming the superiority, in poetical merit, for our countryman.

From the preceding observations it will be seen, that we are of opinion, that further study and repeated trials will enable Mr. Parsons to bring his version much nearer to Dante. We observe, that he is sometimes driven, by what he appropriately calls

"stress of rhyme," to insert epithets and clauses not found in the original. This process is allowable, when the additional words only carry out the implied sense of what is actually expressed. For instance, in the above quoted passage, the epithet *divine*, applied to *scorn* in the last line, has no corresponding Italian epithet. Translated literally, and taking in every word, the line runs,

"Ah! how to me appeared he full of wrath."

The *divine* is only an implication from the circumstances of the case. But even in these cases, it is better to avoid such interpolations. They invariably weaken or falsify the original; and the latter effect is produced, even when the addition is an improvement; and one translation is better than another, *ceteris paribus*, in proportion as it avoids these alterations and additions. Let us look at one passage more, to which this process has been applied.

"He turned me round from their vindictive ire,
And with his *shadowy* fingers veiled my gaze!"

It is the Spirit of Virgil saving Dante from the Gorgon's petrifying look, and the epithet *shadowy* applied to his fingers, though a fine and appropriate one, is neither Dante's nor Dantesque. Cary in this case is truer, though not so spirited.

"Himself, my gentle master, turned me round;
Nor trusted he my hands, but with his own
He also hid me."

We regard the translation of a great poet as a work of high art. It is not enough to render his meaning from one language to another, and to make a readable book without reference to the original. The *form* is quite essential, and should, if possible, be preserved; otherwise, we do not have what the translator professes to give us. The poet has his reasons for choosing one form rather than another; such is the shape in which he deliberately determines that his creations shall be presented to the world; and none but the gravest arguments can justify the translator for setting aside the poet's own decision. The rhythm in Dante is inexpressibly affecting; the *terza rima* moulds his thoughts into such a form, that they have a force and meaning altogether peculiar and indescribable; and quite different from any effect that can be produced by the measure of Gray's "Elegy," noble and solemn as that quatrain is. We do not agree with Mr. Parsons, that "this is the nearest approach to the lengthened harmony of the Italian *terza rima* which is recognised by English ears." On the contrary, Byron's "Prophecy of Dante," which he considered "as a metrical experiment," is a magnifi-

cent illustration of the power of this rhythm in English, and shows conclusively that, in able hands, its long-drawn music may to a great extent be reproduced.

The notes are learned and judicious, and the concluding "Word with the Reader" contains a good deal of sound criticism, pithily and elegantly expressed. Some of the author's statements, however, are not in perfect taste; and his remarks about "the petty care taken by many translators to tie themselves to the precise number of lines found in their original" are almost flippant. We assure Mr. Parsons, that the best translations which have ever been made into the English language are nearly word for word, line for line, epithet for epithet, and rhythm for rhythm, after the originals; and that there are translations executed upon this principle, which are not more distinguished for their masterly reproduction of the very spirit of the pieces, undiluted and unaltered, than for their exquisite melody and their correct and idiomatic expression, considered merely as English poems. We are not much pleased either with the intimation, that "a profound Schlegel" has "ignorantly praised" Shakspeare. His praise of Shakspeare may not agree exactly with our own or Mr. Parsons's; but Schlegel never spoke or wrote ignorantly on any subject; least of all on Shakspeare. His criticisms are the delight of those who have studied Shakspeare most, and who love him best.

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2. — *The Huguenots in France and America.* By the Author of the "Three Experiments of Living," &c. Cambridge: John Owen. 1843. 2 vols. 16mo.

THESE two interesting volumes go over a strange and striking period in the history of Europe. The persecutions and struggles of the French Protestants, from the time of Francis the First, until their rights were completely established by the accession of Louis Philippe, are well related. Extending over so long a period, many things of great importance must be wholly omitted, others barely touched upon, and others but briefly stated. In the early part of the work, many characters are introduced for a moment and then disappear; numerous events, whose connexion can only be understood by one who has already acquired an extended knowledge of previous history, and the history of the times, are only alluded to. The complicated relations of parties are hinted at, without being explained. But the limits of the work, and the comprehensive nature of the subject, made it impossible to give it a different form. The early history of the

French Protestants is so interwoven with the politics of the age, that the writer cannot select a central point, around which the interest of a well-proportioned and connected story may be made to revolve. The topics and materials are scattered, and have innumerable relations to other topics and other matters. In the present work, all this is very obvious in the desultory and rather uninteresting character of the first chapters; and it is not until the fortunes of Henry of Navarre become blended in the narrative, and his star begins to approach the ascendant, that we see our way clear, and have some hope of escaping from the labyrinth. That part of the story which embraces his reign and the period immediately preceding it, assumes a regular and intelligible form; it is well told, and inspires a deep interest. Nothing disturbs our sympathy with the spirit of the writer except the very slight censure which she bestows upon Henry's memorable apostasy from a cause and a religion, in whose defence he had spent the best years of his life. This great act of treachery has nothing to justify it but an apparent expediency, and cannot be palliated by the good-nature and humanity of the monarch. History, while she awards him full credit for the virtues he possessed—and they were many and uncommon in that age—should have no word of excuse for the guilty deed of bartering conscience and religion for the gratification of worldly ambition, or even, putting the best construction upon the act, for the repose of his native country.

The character of the princess Catharine is skilfully drawn, and her heroic story told with simplicity and great effect. The various fortunes of the Huguenots through the following reigns; the revocation of the edict of Nantes by Louis the Fourteenth; the struggles that preceded the French Revolution; the direct and remote effects of this terrible catastrophe upon their condition; are all well sketched. The reader will find in these volumes a great amount of historical information, though for the reasons we have touched upon, it will be necessary for him to go further and read much more, in order to understand it fully.

The author of this book is well known by several other works, written in a popular and pleasing style. The present publication is marked by the same characteristics. Yet, in justice, it ought to be said, that good as this style is in some points, it is deficient in nerve, and is frequently careless and incorrect. The diction is sometimes deformed by words and phrases, that have no claim to admission into the English language. Is not this inelegant? "Francis carried a torch in his hand, which he delivered *every little while* to the cardinals," &c. The following sentences show carelessness of construction. "This was the queen who was afterwards arraigned for the murder of Darnley, her husband! It may be so,

for who can tell what effect corrupting circumstances may produce,"—meaning, of course, not as the words imply, "it may be that she was arraigned," but "it may be that she was guilty." We often find unauthorized words and phrases. To "realize," used in the sense of "imagine," or "believe," occurs some twenty or thirty times. The expression "rapt into future times," quoted from Pope, is written "wrapt"—which makes it absurd. But the expression that we have most objection to is the unmitigated barbarism, "was enabled to *loan* the asylum of his persecuted parents," &c. We remember, that the Adjutant-general of the Commonwealth was charged last winter, by the learned chairman of a legislative Committee, with having "*loaned*" the arms of the State,—and he confessed the truth of the charge. We were not surprised at the punishment which followed. There is no telling what people who *loan* things will do next.

We touch upon these little points, because, though small, they are real blemishes in a work of elegant literature; and in all such works, the purity of our language should be most scrupulously guarded.

3. — *OMHPOT FIΛIAΣ. Litera Digamma restituta, ad Metri Leges redegit et Notatione brevi illustravit* THOMAS SHAW BRANDRETH. Londini: Gulielmus Pickering. 2 vol. 1841.

THESE two beautiful volumes have tempted us to read again the old Chian Bard's immortal rhapsodies. No edition that we have yet seen is more attractive in its external appearance, or more tastefully and elegantly *got up*, as the modern phrase has it. Extreme care has been taken that it should be accurately printed; and the text is accompanied by Latin notes, drawn up with excellent judgment, and showing sound learning on the part of the editor. They are brief, but always to the point, and generally what the reader of Homer requires. Sometimes they turn upon critical points relating to the text, but more frequently they explain the construction and interpretation. The notes of the former kind, the reader will find frequent occasion to question; with those of the latter, though on some vexed questions he may differ from the author, he will generally agree. This part of Mr. Brandreth's work is done with admirable taste and ability.

This edition of the *Iliad*, however, has two peculiarities, on which the opinions of most scholars will widely vary from Mr. Brandreth's. The editor has seen fit to omit the accents, and to insert the *digamma*. We confess, that we are opposed to both

of these attempts to restore what can only be an imagined purity of the Homeric text. It is quite true, that the accentual signs were not used in writing until centuries after the Homeric poems were composed; but accents themselves, which these signs visibly represented, of course belong to the earliest forms of the language. They are closely related to the laws of Greek musical recitation, enter deeply into the system of quantity, and never can be set aside without great injury to the just pronunciation of the Greek language. These signs have been used in writing the language for more than two thousand years; and there can be no reasonable doubt, that, when they were invented, they represented *intonations* or *stresses* of voice, actually used in the Homeric age; and as they have, at this day, at least, the office of indicating in many cases, according to a beautifully regular system of principles, the quantity of the syllables on which they stand, or which they precede, it seems desirable to retain them. There are at least as strong reasons in favor of doing so, as in the case of the Hebrew points, which all Hebraists now agree in receiving. A person accustomed to the accents finds an unaccented text awkward and unseemly.

The other point, the application of the Digamma, is still less to be recommended. The sound represented by this obsolete character no doubt existed in the early Greek language. It was long retained in some of the dialects, and passed from the Æolic into the Latin tongue. But it soon disappeared from elegant discourse, or was changed into other and softer sounds. It was always uncouth, at least in many combinations; and with the refinement of speech, and the progress of poetical composition, the language freed itself from it, or so essentially modified it as to escape the cacophonous vulgarity. In plain truth, it was the cockneyism of the ancient Greek, and, under favor of classical ears, resembled the well known peculiarity in the pronunciation of Mr. Samivel Veller.

As we remarked, there can be no doubt of its existence in early times. The ancient grammarians and scholiasts mention it; it is found on coins and inscriptions. The famous Elean plate, carried to England by Sir William Gell, and which has been repeatedly published, especially by Boeckh, and Rose, exhibits the character most distinctly. The date of this document goes back to about six centuries before Christ; and this is some centuries later than the period of the Homeric compositions. But it is written in a local dialect, and records a transaction between two inconsiderable tribes; it can, therefore, prove nothing in regard to the usage in the great cultivated forms of the language.

Mr. Payne Knight, a most able but eccentric scholar, remoulded the *Iliad* according to his own whimsical views, until it be-

came difficult to recognise the venerable lineaments of Homer under this extraordinary disguise. His *Fulvius*, and *Fodysseia*, or in the corresponding cockney, Vilviad, and Vodyyssey, is in some respects a valuable work, but chiefly for the acute and learned Prolegomena. It will for ever remain a monument of the vast erudition and wonderful absurdity of that erratic scholar. Let us copy the first three lines of the Vilviad, and see how they read.

“Μηνιν αἶειδε θεα, πηλεΐαδαΐ’ ἀχιλῆος
 ὀλομένην φη μν. ῥι’ ἀχαιῶσις ἄλγ’ ἐθήκεν,
 πολλὰς δ’ ἰφθίμοφς ποντῆας αἶσιδι προιαπτσεν.”

Such is Knight's text; without accent, without breathing, without capitals, the double and triple consonants resolved; and with this copious infusion of the Digamma. Our readers will be able to form some idea of the effect of all these improvements, by the following specimen of a digammated *Paradise Lost*.

vof man's first disvobedivence vand the fruit
 vof that forbidden tree, vwhose mortal taste
 brought death vinto the vorld vand vall our vove
 vith loss vof veden, 'till vone greater man
 restore vus vand regain the blissful seat,
 sing evenly muse, that von the secret top
 vof voreb vor vof sinavi didst vinspire, &c.

Bentley's famous edition of Milton will have to yield the palm when the digammated *Paradise* makes its appearance.

Mr. Brandreth's good sense has saved him from the learned aberrations of Knight; and yet his use of the digamma, though comparatively moderate, is no more to be defended on principle than Knight's. In his well-written preface, he states the grounds upon which he has proceeded in the execution of his plan. "*Cum jam inter omnes constet, Homerum literam digamma in scriptis adhibuisse, neque sine eâ aut metri aut Grammaticæ ejus ratio stare possit,*" &c. Now we do not agree to the very first proposition, — the very basis on which the whole system rests. So far from all admitting that Homer used the letter digamma in his writings, there are many who believe, that Homer never used any letter at all, for the very good reason that, like some of the bards of chivalry in the Middle Ages, he could neither read nor write. This is not our own opinion, but it has had many and able supporters. He proceeds, a little further on; "*Hiatus vitasse Homerum constat; digamma, ut exhibui, mille septuagentos et quinquaginta circiter tollit; alios circiter centum variis remediis sustuli.*" It is by no means evident, that Homer avoided the hiatus. The epic language, on the contrary, delighted in long-drawn vowel sounds; the beautiful climate, the soft airs, and the delicious scenery of Ionia and the isles of Greece, favored the liquid melody which is produced by an abundance of vowels,

and this abundance leads inevitably to frequent examples of hiatus. The language of Herodotus, which retains many forms and varieties of the epic style, has this one characteristic most frequently. In our opinion, the *remedies* which Mr. Brandreth proposes are much worse than the disease, for besides applying the digamma, he alters the text whenever this remedy is ineffectual. Against all these proceedings, the arguments are strong, not to say irresistible; certainly, no considerations of metre and grammar can have much weight with any scholar, who views these questions unbiassed by learned whims and theories. In making up our opinion upon this subject, we must bear in mind, that the Greek language in Homer's time was copious, graphic, flexible, and plastic; and that its musical character was its most striking trait. The quantity of syllables, in many cases, was varied to suit the exigences of the verse; and this, in an age when musical recitation, accompanied by an instrument, was the mode of delivery, might be accomplished very easily. The distinction between long and short vowels was noted only in musical time; syllables might frequently be lengthened or shortened at the singer's will, according to the requisitions of the hexametrical rhythm; and as to the grammatical construction, the old bard of Chios never dreamed of the thousand and one philological niceties, which have been thrust upon him.

This musical character of the Homeric language would have been greatly impaired, if not entirely destroyed, by the existence of the Æolian cockneyism to the degree in which Payne Knight has applied it. It would have been difficult, not to say impossible, to chant the rhapsodies with this perpetually recurring vulgar provincialism; for, despite the ingenuity of learned editors, vulgar it was, and rejected it was by the polite speakers and writers in the best age of Greece. And any attempt to employ it,—suppose at the Panathenaic festival,—would have brought upon the unlucky rhapsodist a storm of ridicule from his critical audience. We make bold to say, that the Payne Knights of antiquity would never have repeated the experiment after a single trial.

These are a few of the general considerations against the introduction of the digamma. Historically viewed, the question is still more narrowed down. The *Iliad* and *Odyssey*, as we now have them, may be traced back, substantially, through the Alexandrian revisions, to the age of Pisistratus and his sons, when the greatest poetical talents of Greece were employed upon their arrangement and publication. That the Homeric poems were not materially altered at that time is shown by the fact, that the language, differing widely from the Attic, was not made to conform closely to the Athenian standard. These editors did not think the digamma belonged to the orthography of the *Iliad* and *Odyssey*; had they found it in their copies, or had the sound

been received at the time, the fidelity with which they adhered to the old epic forms in other respects proves, that they would not have ventured upon such a falsification as striking the digamma out. These revisions took place about the time of the Elean inscription. The digamma did exist, then, in some places, and in certain provincial dialects, at the time when the text of the *Iliad* and *Odyssey* was settled by the illustrious poets, whom the Athenian princes called to the work. The inference clearly is, that it was *only* a provincialism; that it had been for centuries only a provincialism; that it would have been a corruption of the Homeric text to introduce it; and thus, for the soundest reasons, it was not introduced. But modern editors, forgetting the musical flexibility of the Homeric language, insist upon enforcing the laws of prosody that were established long after Homer's time, and which have no strict application to his magnificent hexameter. His verses were chanted,—not printed, not read, not scanned syllable by syllable, with an immense apparatus of *arses*, and *theses*, and *cæsuras*, principal and secondary; and all the efforts of such digammato-maniacs as Payne Knight only serve to obscure and deform the poet's original brightness. Even supposing that Homer and the rhapsodists employed the digamma,—a supposition which is not to be readily admitted,—its omission in the text for the last twenty-five centuries would alone be a sufficient argument against all attempts at its restoration: for it is evident, that the restorer has, with very few exceptions, nothing but his own sagacity to guide him; and the sagacity of restorers, both in literature and art, is but a slender support to lean upon.

These remarks do not apply in their full force to Mr. Brandreth. Though his theory is quite as unfounded as Payne Knight's, his practice is far less paradoxical. For Knight's *Vilviad*, he gives us the comparatively reasonable form of the *Viliad*; and throughout in nearly the same proportion.

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4. — *The Anabasis of Xenophon; chiefly according to the Text of L. Dindorf; with Notes for the Use of Schools and Colleges.* By JOHN J. OWEN, Principal of the Cornelius Institute. New York: Leavitt & Trow. 1843. 12mo. pp. 366.

THIS is one of the best prepared classical school-books that have ever fallen under our notice. The romantic interest of the narrative, and the charms of Xenophon's incomparable style, have immortalized the retreat of the Ten Thousand, which would have occupied, at best, only an unimportant place in ancient history, had it been left to take its chance of being commemorated by any other than the graceful genius of the

Athenian adventurer. As it is, the expedition stands forward with marked prominence among the feats of Hellenic skill and valor, and the narrative of its historian ranks high in the literature of the world. Mr. Owen has, therefore, chosen well in taking this work for the object of his labors; and the manner in which he has executed the plan he proposed to himself at the beginning corresponds to the good judgment displayed in the selection. The text he has chiefly followed is that of Dindorf, published in 1825; but he has also made use of all the leading editions, Schneider's, Bornemann's, Poppo's, Krüger's, Belfour's, and Long's. The text is very carefully printed, and the type is of a good size and shape. The punctuation is settled on what we consider correct principles, at least as applied to the Greek; the sentences are not cut up by commas into such minute portions as has been common of late; but the words and expressions are massed together, more according to the probable manner of reading and speaking among the ancients, and according to the natural grouping of the ideas, than the recent mode of punctuation allows. We like this well.

A summary of the contents of each book is prefixed to the volume. This will be useful for the student before he begins to read the Greek text; it will give him a very clear and comprehensive idea of the substance and plan of the *Anabasis*. The first book is accompanied with copious references to the grammar of Mr. Sophocles; these references will explain every construction and grammatical form; and, when the first book has been carefully studied, no grammatical or syntactical difficulty will check the student's progress through the remainder of the work. Among these references questions are interspersed, for the purpose of calling the scholar's attention to special points. At the end of the volume, the editor has placed a body of well-digested notes, comprehending grammatical explanations, critical interpretations, and all the geographical, historical, and statistical details, which are necessary to illustrate the text of Xenophon. We think these notes excellent both in manner and matter; they are copious, but not unnecessarily so, and the subjects treated in them show an exact appreciation of the scholar's wants. We have also tables explaining the distances and times of marches, and the values of coins; a genealogical table of the Persian kings; lists of numbers in armies; and other particulars, so satisfactory for the reader to have at hand, and so difficult to be obtained by one who has not a considerable library at his command. We are particularly pleased with the attention Mr. Owen has given, in his notes, to the Greek particles, on which the varied beauty of Greek composition so materially depends. Xenophon uses these minute touches, these delicate shadings, so to speak, with particular attention and skill; and the careless and

superficial reader, who skims easily over the charming pages of this incomparable author, loses half the magic of his style, if he fails to note the curious felicity with which the particles are employed.

Mr. Owen will forgive us, if, while heartily commending his admirable book, we object to his twice introducing into his judicious preface that barbarous Americanism, "locating places," — a phrase that smacks more of speculation in Western lands than of expounding the elegances of classical literature.

5.—*Poetry for Home and School.* Selected by the Author of the "Theory of Teaching" and "Edward's First Lessons in Grammar." Boston: S. G. Simpkins. 1843. 12mo. pp. 360.

THIS is a very beautiful selection of poetry for the purpose which the editor had in view in making it. The pieces are taken from the whole range of English and American literature, and of course must exhibit a great variety of styles; but they are *entire*, and in this respect the work is greatly superior to any other selection with which we are acquainted. Each piece has an interest by itself, and depends upon nothing else for its explanation. Each piece, also, has merit in itself, and is worth a careful reading both by young and old. We find in the whole volume none of the namby-pamby stuff — that sort of intellectual pap — which is supposed by many to be the suitable aliment for the mind of childhood.

A book like this, thoroughly read, and perhaps studied, in the schools, will fill the minds of children with forms of beauty, and sentiments of purity, that may make their whole lives more noble. Another effect, of less vital consequence, and yet important enough to excite the serious attention of parents and teachers, is, that the person whose early years have been passed in growing familiar with such exquisite models of poetical imagery and rhythm, will always retain a perception of the metrical beauties of his mother tongue, which is not easily acquired by those who begin the study of poetry at a later period. The only point on which we hesitate to agree with the editor's taste and judgment, is the selection of several Scotch poems, containing words that do not belong to the English language, and yet are unexplained by notes; and of some of the old English ballads. True, these are of great poetical beauty; but their peculiar spirit cannot, perhaps, be made sufficiently clear to children at school. The editor has a just view of the importance of developing the sentiment of beauty early in the

soul; and this little book is admirably fitted to promote that desirable aim. We are particularly pleased to see so many of Miss Lamb's humorous and delightful little poems in it.

6. — *The Relation of the Poet to his Age*: a Discourse delivered before the Phi Beta Kappa Society of Harvard University, on Thursday, August 24, 1843. By GEORGE S. HILLARD. Boston: Charles C. Little and James Brown. 8vo. pp. 53.

THIS discourse is the production of a mind thoroughly imbued with elegant scholarship, and guided by delicate and refined taste. The writer is a perfect master of soft and beautiful diction, relieved by copious allusions, and diversified by pleasing imagery. His style is rich even to exuberance, and polished to the last degree of nicety. It is full of pictured words, glowing images, and fanciful expressions. Yet it is sufficiently chastened always to stop short on the right side of affectation and unmeaning display. Those who had the pleasure of hearing the discourse will not soon forget the delightful impression made by the silvery voice, the musical intonations, and graceful manner of the speaker; and even as they read it, the exquisite and flowing sentences will still seem allied to music, and to touch the outward sense as well as to stir the fancy and to excite the reflective power. To such a production it is difficult to apply the rules of criticism with ordinary strictness; but if we were inclined to fault-finding, we might object to some lack of precision and definiteness in the statement of the leading idea in the mind of the speaker, and a consequent defect of unity and method in the course of his remarks. The thought is sometimes overlaid by the illustration, and the hearer's or reader's attention is diverted to the accessaries, when it should be fastened on the proposition to be supported, or the truth which the orator seeks to illustrate and enforce. But this fault is shared with some of the most delightful poetry in the language, and it would be hypercritical to insist upon it. To some persons, it may even appear inevitable in a literary discourse, prepared for such an occasion, when the object is rather to give pleasure than to impart instruction. The tone is certainly far from being didactic, and we are not clear that Mr. Hillard means to set forth any one proposition as an object of discussion and argument. His remarks are consequently rather discursive; but they are animated with a lofty spirit, and embody much noble sentiment and elegant criticism. Sound principles are inculcated, manly and

sensible advice is given to the poetical aspirant and the youthful man of letters, and the enthusiasm with which the scholar regards his peculiar vocation is expressed in bold and eloquent terms.

7. — *Lays of My Home, and other Poems*. By JOHN G. WHITTIER. Boston: William D. Ticknor. 1843. 16mo. pp. 122.

THERE is a little affectation in the title of this volume, which may be excused by the necessity that most authors imagine themselves to be suffering under, of inscribing on their productions some pithy or characteristic *legend*, like the *cartouches* of the Egyptian monuments. The poetry of Mr. Whittier has merits of a high order, though not, perhaps, quite so high as he seems to fancy, if we may judge by a little touch of egotism in the poem entitled "Memories": —

"On life's rough blasts, for blame or praise,
The school-boy's name has widely flown."

Mr. Whittier commands a vigorous and manly style. His expression is generally simple and to the point. Some passages in his poems are highly picturesque; and at times his imagery is bold and striking. But he is deficient in the sense of proportion. His pieces seem to be the chance sallies of a strong imagination, irregularly excited and roused to fitful action, rather than the well planned and artfully finished works of the accomplished poet. In his poems, thoughts frequently are but loosely connected with each other; indeed, the associating link is sometimes wholly imperceptible. At times, a poem continues long after the sense is completed; then again, the strain suddenly ceases, why or wherefore we know not. From this it happens, that the reader carries away from the perusal of his works a vague recollection of poetical phrases, but no image of an entire and perfected poem. Mr. Whittier is not yet completely master of English versification. With many passages of fine harmony, he has written more that are deformed by harshness, and forced turns of accentuation. The spirit of most of his pieces is highly to be commended; and yet the violence of the partisan introduces here and there a disagreeable discord. What right, for instance, has Mr. Whittier to speak in the virulent tone, which he sees fit to employ, against those clergymen who hold different opinions from his on the disputed question of capital punishment? There is no taste, no Christianity, and no poetry in all this: if Mr. Whittier supposes there is, he mistakes all three.

The most vigorous, finished, and the best conceived pieces in
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this volume are the "Norsemens," "Raphael," and "Massachusetts to Virginia." These three are worth all the rest of the volume together. The lines are musical almost without a fault; and the imagery and expression are noble and spirit-stirring. Had they been published by themselves, they would have placed the poet's name higher than the entire collection will raise it: for this is one of the cases, unfortunately not very rare in American poetry, where, in the phrase of Hesiod,

Νήπιοι, οὐδὲ ῥάσιν ὅσῳ πλέον ἤμισυ πατιός.

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8. — *An Oral System of teaching Living Languages; Illustrated by a Practical Course of Lessons in the French through the Medium of the English.* By JEAN MANESCA. Fourth Edition, revised. New York: Roe Lockwood. 1843. 8vo. pp. 518.

WE have great doubts about the efficacy of the new methods, which are proposed from time to time, for learning the ancient and modern languages with extraordinary facility and speed. They are, for the most part, generalizations of the experience of an individual instructor, who has taught others with ability and success, and wishes that his system may become generally known and approved. But almost every teacher has a scheme of his own, and his success is generally due, not so much to the peculiarity of his method, as to his tact and skill in reducing it to practice, and adapting it to the different characters of his several pupils. It is very problematical, whether the plan will work well in any other hands than those of the inventor. For the pupil, after all, there is but one course, — the diligent use of the grammar and dictionary. If the teacher has time and patience, he may do as Mr. Manesca proposes; he may take away these formidable volumes, and give oral instruction, in the inductive way, by frequent repetition of the principles of syntax and the materials of a vocabulary. Thus he becomes a living grammar and dictionary, and the learner may find it less irksome to take the words from his mouth, than to hunt for them in a book. But the necessity of committing these words and rules to memory, though thus disguised, cannot be obviated; and to effect this, nothing but patient, solitary study will suffice. The volume before us, which is of very respectable dimensions, contains a vast collection of well arranged exercises in French, which instructors may find very useful, whether they adopt Mr. Manesca's method, or prefer to follow their own.

9. — *Speeches and Forensic Arguments*. By DANIEL WEBSTER. Vol. III. Boston: Tappan & Dennet. 1843. 8vo. pp. 563.

WE notice this volume only to commend the judgment and enterprise of the publisher for bringing together, in a neat and convenient form, these addresses and arguments, which the inquirer would otherwise be obliged to search for among a multitude of newspapers and other fugitive publications. We say nothing of the subjects discussed or the principles defended in these speeches; for they lie out of our province, and every variety of opinion respecting them exists in the community at large. But there can be no difference of sentiment in regard to the surpassing ability with which this distinguished statesman supports his cause. His speeches are models of argumentative power and commanding eloquence, and they will be studied in future centuries with an interest not inferior to that with which the scholar of the present day contemplates the precious remains of Greek and Roman debate. They are rich sources of instruction, also, and the student of letters, of history, of finance, and of the theory of government, is no less interested than the active politician of the present day, in the preservation of them in a form adapted for future perusal and reference.

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10. — *Critical and Miscellaneous Essays*. By JAMES STEPHEN. Philadelphia: Carey & Hart. 1843. 12mo. pp. 413.

It has become the fashion of late for the contributors to the periodical journals to collect their papers and publish them in a more permanent form. Several valuable additions have thus been made, within a few years, to the substantial literature of the times. Macaulay's *Miscellanies* furnish as attractive reading as any volumes that have appeared for a long time. Their nervous eloquence and varied learning, their rich and all-embracing illustrations, and the judicial fairness of their criticisms, place them justly among the best literature of the day. The same remark may be made of Carlyle's writings,—by those who like them. The present volume contains a series of valuable papers, from the *Edinburgh Review*. They are written with learning and ability; the author is thoroughly informed on all the subjects he handles; his style is correct, but is evidently formed upon the model of Macaulay's. Imitation of a very good thing is always very bad. Mr. Stephen has materially lessened the effect of his writing by an obvious straining after

proportions that are too large for him. But we must award to him the praise of copious erudition, and justice in his literary judgments. He shows, also, great ability in the analysis of character, and the unfolding of motives. The article on Ignatius Loyola and his associates displays this quality very fully. The paper of the most general interest is that on the Port Royalists. The article on Whitfield and Froude will be read with pleasure in these days of Puseyism.

NOTE

TO ARTICLE IX. OF NUMBER 120.

Mr. William Sturgis, of Boston, has published in one of the daily prints of the city a communication in reply to our article on "The Mutiny of the Somers." At his request, we copy from his remarks the following statement.

"Speaking of the decision of the *Court Martial*, the Reviewer says, 'by their final report Commander Mackenzie was *honorably acquitted* of all the charges and specifications preferred against him by the Secretary of the Navy;' the words *honorably acquitted* are given in italics, to mark the importance which the reviewer attaches to them, and he subsequently twice speaks of the *honorable* acquittal of Commander Mackenzie. The decision of the Court Martial, as officially given, was something very different from an *honorable* acquittal. It is given in the 'Madisonian' of April 13, upon each of the charges and specifications that it 'is not proven,' and 'the Court do therefore acquit Commander Alexander S. Mackenzie of all the charges and specifications preferred against him, by the Secretary of the Navy.' It is added, 'As these charges involved the life of the accused, and as the finding is in his favor, he is entitled to the benefit of it, as in the analogous case of a verdict of not guilty before a civil court, and there is no power which can constitutionally deprive him of that benefit. The finding, therefore, is simply *confirmed*, and carried into effect without any expression of approbation on the part of the President; no such expression being necessary.' In colder language an acquittal could hardly be expressed."

The report of the sentence of the Court Martial was copied in perfectly good faith into the Review from the "Boston Atlas" of April 12th, 1843, the only newspaper that was within reach, which contained a full account of the proceedings at the trial. It appears, that the 'Madisonian' gives a different version of the sentence, and although this paper has no claim to be considered as the *official* organ of the government, no newspaper being recognised as such in this country, we are satisfied that its version is the correct one, and are quite willing, therefore, to place it before our readers.

QUARTERLY LIST OF NEW PUBLICATIONS.

AGRICULTURE.

The Economy of Farming, from the German of Professor Burger ; with copious Notes from the works of Thaer, Veit, &c., and an Index. By E. Goodrich Smith. New York : Leavitt and Trow. 8vo. pp. 136.

BIOGRAPHY.

The Life and Speeches of Henry Clay. New York : Greeley & McElrath. 2 vols. 12mo. pp. 431 and 597.

Reminiscences of the Reverend Samuel Hopkins, D.D., of Newport, R. I. Illustrative of his Character and Doctrines. By William Patten, D.D. Providence : Isaac H. Cady. 12mo. pp. 155.

EDUCATION.

An Introduction to Geometry and the Science of Form. Prepared from the most approved Prussian Text-Books. Boston : James Munroe & Co. 12mo. pp. 159.

The American Infant School Primer. Compiled by the Publisher for Small Children, and approved by Samuel W. Seton. New York : George F. Cooledge. 12mo. pp. 24.

The Primary School Reader. Part Second. By William D. Swan, Principal of the Mayhew Grammar School, Boston. Boston : C. C. Little and James Brown. 12mo. pp. 108.

Spanish Guide to Conversation and Commerce, in 2 Parts ; being a Sequel to the Author's Spanish Grammar and Translator. By Julio Soler, Professor of the Spanish Language and Literature in the University of the City of New York. New York : Spanish Printing Office. 12mo. pp. 189.

Guide for Writing Latin ; consisting of Rules and Examples for Practice. By John Philip Krebs. From the German, by Samuel H. Taylor, Principal of Phillips' Academy. Andover : Allen, Morrill, and Wardwell. 12mo. pp. 479.

Three Thousand Exercises in Arithmetic. By David Ring. Baltimore : Published by the Author. 12mo. pp. 76.

Key to Three Thousand Exercises in Arithmetic. By David Ring. Baltimore : Published by the Author. 12mo. pp. 33.

Logopolis, or City of Words ; containing a Development of the Science, Grammar, Syntax, Logic, and Rhetoric of the English Language. By Ezekiel Hildreth. Pittsburgh : A. Jaynes. 12mo. pp. 216.

The Primary Reader ; a Selection of Easy Reading Lessons, with Introductory Exercises in Articulation, for young Children. By William Russell, Teacher of Elocution. Boston : Tappan & Dennet. 12mo. pp. 176.

HISTORY.

Complete and Authentic History of the Battle of Bunker Hill, June 17, 1775; derived from the best Authorities. By Alden Bradford, Esq. Boston: J. N. Bradley & Co. 8vo. pp. 14.

An Account of Bunker Hill Battle and Monument; with Illustrative Documents. Boston: John Sly. 12mo. pp. 36.

JUVENILE BOOKS.

Famous Men of Modern Times: by the Author of Peter Parley's Tales. Boston: Bradbury, Soden, & Co. 2 vols. 16mo. pp. 152 and 136.

Persevere and you must Succeed. Part II. Boston: Wm. Crosby & Co. 12mo. pp. 144.

Marco Paul's Travels and Adventures in Pursuit of Knowledge. Vols. IV. and V., on Vermont and the Springfield Armory. By Jacob Abbott. Boston: T. H. Carter & Co. 12mo. pp. 144.

LAW.

Reports of Cases Argued and Determined in the Court of Chancery of the State of New York. By Alonzo C. Paige, Counsellor at Law. Vol. IX. New York: Gould, Banks, & Co. 8vo. pp. 718.

Reports of Cases Argued and Adjudged in the Supreme Court of the United States, January Term, 1843. By Benjamin C. Howard. Vol. I. containing, in an Appendix, a List of all the Cases decided in that Court from the earliest Reports to the present time. Philadelphia: T. & J. W. Johnson. 8vo. pp. 379.

A Treatise on the Law of Slander and Libel, and Incidentally of Malicious Prosecutions. By Thomas Starkie, Esq. From the 2d English Edition, with Notes and References to American Cases. By John L. Wendell. Albany: C. Van Benthuysen & Co. 2 vols. 8vo. pp. 437 & 407.

A Treatise on the Law of Private Corporations Aggregate. By Joseph K. Angell and Samuel Ames. 2d Edition. Revised, corrected, and enlarged. Boston: C. C. Little and James Brown. 8vo. pp. 707.

Reports of Cases Argued and Adjudged in the Supreme Court of the United States, January Term, 1843. With an Appendix, containing an Alphabetical List of the Cases in the Supreme Court from its organization under the Constitution of the United States. By Richard Peters. Vol. XVII. Boston: C. C. Little and James Brown. 8vo. pp. 288, & lxxvii.

MEDICINE, ANATOMY, AND SURGERY.

A Treatise on Food and Diet; with Observations on Dietetical Regimen, and an Account of the Dietaries of some of the principal Metropolitan and other Establishments for Paupers, Lunatics, the Sick, &c. By Jonathan Pereira, M. D., F. R. S. Edited by Charles A. Lee, M. D. New York: J. & H. G. Langley. 8vo. pp. 325.

Principles of Human Physiology, with their chief applications to Pathology, Hygiene, and Forensic Medicine. With over 100 Illustrations. By William B. Carpenter, M. D. 1st American Edition, with

Additions by the Author, and Notes and Additions by Meredith Clymer, M. D. Philadelphia: Lea & Blanchard. 8vo. pp. 618.

MISCELLANEOUS.

An Inquiry concerning the Lawfulness of Marriage between Parties previously Related by Consanguinity or Affinity. Also, a Short History of Opinions in Different Ages and Countries, and of the Action of Ecclesiastical Bodies on that Subject. By the Rev. William Marshall. New York: Mark H. Newman. 12mo. pp. 212.

The Bland Papers; being a Selection from the Manuscripts of Colonel Theodorick Bland, Jr., of Prince George County, Virginia. To which are prefixed an Introduction, and a Memoir of Col. Bland. Edited by Charles Campbell. Petersburg. 8vo. pp. 130.

Facts and Arguments on the Transmission of Intellectual and Moral Qualities, from Parents to Offspring. New York: Wiley & Putnam. 12mo. pp. 191.

The Letters of Lowndes, addressed to the Honorable John C. Calhoun. New York: D. Appleton & Co. 8vo. pp. 100.

Philosophical Theory and Practice of Penmanship. In 3 Parts; Primary, Intermediate, and Final. By M. A. Root. Philadelphia: Apollos W. Harrison.

The Remains of the Reverend James Marsh, D. D., late President, and Professor of Moral and Political Philosophy, in the University of Vermont; with a Memoir of his Life. Boston: Crocker & Brewster. 8vo. pp. 642.

The New Purchase; or, Seven and a Half Years in the Far West. By Robert Carlton, Esq. New York: D. Appleton & Co. 2 vols. 12mo. pp. 300 & 316.

Familiar Letters to my Friend. Boston: Redding & Co. 8vo. pp. 48.

A Gazetteer of the United States, comprising a Series of Gazetteers of the several States and Territories. Maine. By John Hayward, Author of the New England Gazetteer. Portland: S. H. Colesworthy. 8vo. pp. 92.

Letters from a Father to his Sons in College. By Samuel Miller, D. D., Professor in the Theological Seminary, Princeton, New Jersey. Philadelphia: Grigg & Elliot. 12mo. pp. 344.

Address of the New England Anti-Slavery Convention to the Slaves of the United States; with an Address to President Tyler, adopted in Faneuil Hall, May 31, 1843. Boston: Oliver Johnson. 16mo. pp. 16.

The Semaphoric Land and Marine Telegraph Signal Book, comprising above 2000 Vessels' Designating Telegraph Numbers as Displayed at the New Exchange, State Street. By John R. Parker, Proprietor. Boston: Andrew B. Kidder. 8vo. pp. 32.

The Eighteenth Report of the American Unitarian Association, with the Proceedings of the Annual Meeting, May 24, 1843. Boston: James Munroe & Co. 12mo. pp. 59.

A Concise History of, and Guide through Mount Auburn, with a Catalogue of Lots laid out in that Cemetery; a Map of the Grounds, and Terms of Subscription. Boston: Nathaniel Dearborn. 12mo. pp. 75.

The Attaché; or, Sam Slick in England. By the Author of "The Clockmaker; or, Sayings and Doings of Sam Slick." Philadelphia; Lea and Blanchard. 8vo. pp. 114.

Selections from the Writings of Mrs. Margaret M. Davidson, the Mother of Lucretia Maria and Margaret M. Davidson. With a Preface by Miss C. M. Sedgwick. Philadelphia: Lea and Blanchard. 12mo. pp. 272.

Lectures on the Spanish Inquisition; a rare Work, and the best which has ever appeared on the Subject. By M. Le Comte Joseph Le Maistre. Translated from the French, with a Preface, Additional Notes and Illustrations, by T. J. O'Flaherty, S. E. C. Boston: Patrick Donahoe. 12mo. pp. 178.

A Treatise on the Fate of the Ottoman Empire in 1844; the Great Popish Revolution in 1866; with the Fall of the Pope and the utter Extinction of many Catholic Nations; the Commencement and Duration of the Millennium, and the last Apostasy at the Extreme End of Time. By John Dixon, Jr. Worcester: Ægis Office. 12mo. pp. 22.

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Illustrations of the Croton Aqueduct, by F. B. Tower, of the Engineer Department. New York: Wiley and Putnam. 4to. pp. 152.

Reliquiæ Baldwinianæ; Selections from the Correspondence of the Late William Baldwin, M. D., Surgeon in the United States Navy. With Occasional Notes, and a Short Biographical Memoir. Compiled by William Darlington, M. D. Philadelphia; Kimber and Sharpless. 12mo. pp. 346.

Change for the American Notes; in Letters from London to New York. By an American Lady. New York: Harper and Brothers. 8vo. pp. 88.

A Vindication of the Scottish Covenanters; consisting of a Review of the First Series of the "Tales of my Landlord." By Thomas McCrie, D. D. Philadelphia: James M. Campbell. 12mo. pp. 147.

Speeches, Reviews, Reports, &c. By Joseph Blunt. New York; James Van Norden and Co. 8vo. pp. 274.

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Letters from New York. By L. Maria Child, Author of the Mother's Book, Philothea, &c. New York: Charles S. Francis and Co. 12mo. pp. 276.

The Church Record. Philadelphia: Griffith and Simon. 4to.

Eleventh Annual Report of the Boston Academy of Music, read at the Anniversary Meeting, in the Odeon, July, 1843. Boston: T. R. Marvin. 8vo. pp. 12.

Rural Architecture; consisting of Classic Dwellings, Doric, Ionic,

Corinthian, and Gothic, and Details connected with each of the Orders. By Edward Shaw, Architect. Boston: James B. Dow. 8vo. pp. 160.

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NEW PERIODICALS.

The Ladies' National Magazine. Being the Artist and Lady's World combined. Editors: Mrs. Ann S. Stevens, and Charles J. Peterson. July, 1843. No. I. Philadelphia: Charles J. Peterson. 8vo. pp. 36.

The Rover, a Weekly Magazine, containing Sterling Tales from the most popular English and American Authors. Vol. 1. No. 1. March, 1843. New York: Labree and Dean. 4to. pp. 16.

The Hierophant; or Monthly Expositor of Sacred Symbols and Prophecy. Conducted by George Bush, Professor of Hebrew in the New York City University. New York: Mark H. Newman. 8vo. pp. 168.

Journal of the American Oriental Society. Vol. 1. No. 1. 1843. Boston: C. C. Little and James Brown. 8vo. pp. 78.

The New York Journal of Medicine, and the Collateral Sciences. Edited by Samuel Forry, M. D. Vol. 1. No. 1. July. 1843. New York: J. and H. G. Langley. 12mo. pp. 144.

The Wreath. Vol. 1. Boston: W. T. O. Dalton. 12mo. pp. 64.

NOVELS, TALES, AND ROMANCES.

Genevieve and Marcelin, and other Tales. Translated from the French of J. N. Bouilly. Boston: William Crosby and Co. 12mo. pp. 168.

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Morris Græme ; or, *The Cruise of the Sea-Slipper. A Sequel to "The Dancing Feather."* A Tale of the Sea and Land. By Prof. Ingraham, Author of "*Lafitte*," &c. Boston : Edward P. Williams. 4to. pp. 32.

The Uscoque ; or, The Red Turban of the Archipelago. Translated from the French of George Sand, [Madame Dudevant.] Boston : Edward P. Williams. 4to. pp. 32.

The Village Doctors, and other Tales. By T. S. Arthur. Philadelphia : Godey and McMichael. 12mo. pp. 72.

Christine, a Tale of the Revolution. By John H. Mancur, Author of "*Henri Quatre, or the Days of the League*," &c. New York : William H. Colyer. 8vo. pp. 60.

Wyandotte, or the Hutted Knoll. A Tale. By the Author of "*The Pathfinder*," &c. Philadelphia : Lea and Blanchard. 2 vols. 12mo. pp. 237, and 201.

Bernardo del Carpio. Translated from the Spanish of Don Jorge Montgomery. By J. G. Marvin. Boston : Brainard and Co. 8vo. pp. 82.

The Little Pilgrims ; A Sequel to "The Taylor's Apprentice." By the Author of "*The Taylor's Apprentice*." Philadelphia : Godey and McMichael. 12mo. pp. 72.

ORATIONS AND ADDRESSES.

Speech delivered at Baltimore, May 18, 1843, by the Honorable Daniel Webster. New York : John S. Taylor and Co. 8vo. pp. 32.

An Address Delivered at the Completion of the Bunker-Hill Monument, June 17, 1843. By Daniel Webster. Boston : Tappan and Dennet. 8vo. pp. 20.

An Address to the People of Rhode-Island, Delivered in Newport, on Wednesday, May 3, 1843, in Presence of the General Assembly, on the Occasion of the Change in the Civil Government of Rhode-Island. By William G. Goddard. Providence : Knowles and Vose. 8vo. pp. 80.

An Address Delivered at the Laying of the Corner Stone of the Bunker Hill Monument, June 17, 1825. By Daniel Webster. Boston : Tappan and Dennet. 8vo. pp. 14.

The Nature and Influence of War. An Address Delivered before the American Peace Society at its Annual Meeting, May 9, 1843. By Andrew P. Peabody. Boston : 8vo. pp. 24.

The New England Confederacy of MDCXLIII. A Discourse delivered before the Massachusetts Historical Society, at Boston, on the 29th of May, 1843 ; in Celebration of the Second Centennial Anniversary of that Event. By John Quincy Adams, a Member of that Society. Boston : C. C. Little and James Brown. 8vo. pp. 47.

An Address delivered at the Consecration of the New Cemetery in West Cambridge, Mass., June 14th, 1843. By David Damon, Late Pastor of the Congregational Society. Somerville : Edmund Tufts. 12mo. pp. 12.

An Address delivered before the Tullipheboian Society of St. John's Literary Institution, August 1, 1843. By John H. O'Neill, Esq. Frederick : T. Haller, Printer. 8vo. pp. 27.

A Discourse delivered before the Senate of Union College, on the 24th of July, 1843. By Daniel D. Barnard, LL.D. Albany: Weed and Parsons. 8vo. pp. 55.

An Oration, delivered before the City Council and Citizens of Boston, in Faneuil Hall, on the Sixty-seventh Anniversary of the Declaration of Independence, July 4, 1843. By Charles Francis Adams. Boston: John H. Eastburn. 8vo. pp. 39.

This oration stands apart from most of the Fourth of July discourses, both in its manner and its matter. It is wholly free from the absurd and tasteless rant, which most orators conceive it to be their bounden duty to pour into the long ears of gaping crowds on that much-abused occasion; it has none of the flattery which is generally paid by popular men to the people, and which is always selfish and insincere, and therefore degrades a festival that should be turned to useful purposes; but it is a plain, vigorous, and manly statement of the orator's views upon great national interests, written in excellent English, which is a rare thing in these days. Some of the views here presented have an important historical bearing. The analysis of the Declaration of Independence is marked by singular ability, and the remarks upon the purchase of Louisiana are clear and striking.

POETRY AND THE DRAMA.

The Spanish Student. A Play in 3 Acts, by Henry Wadsworth Longfellow. Cambridge: John Owen. 12mo. pp. 183.

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The Maid of Orleans, and other Poems, by William Peter, A. M. Cambridge: John Owen. 16mo. pp. 230.

Donna Florida, a Tale. By the Author of "Atalantis," &c. Charleston: Burges and James. 16mo. pp. 97.

THEOLOGY AND SERMONS.

The Pictorial Bible, being the Old and New Testaments according to the Authorized Version. Illustrated with more than 1000 Engravings. New York: J. S. Redfield. 8vo.

A Sermon of Slavery. Delivered January 31, 1841; repeated June 4, 1843, and now Published by Request; by Theodore Parker. Boston: Thurston and Torry. 12mo. pp. 24.

Catechetical Instruction; the Primary Charge to the Clergy of the Diocese of Massachusetts; delivered in St. Paul's Church, Boston, on Wednesday, June 14, 1843. By the Rt. Reverend Manton Eastburn, D. D., Bishop of Massachusetts. Boston: James B. Dow. 8vo. pp. 18.

The Child in Heaven. Boston: Joseph Dowe. 12mo. pp. 88.

Essays on the Child of God, by John M. Mason, D. D. Edited by the Rev. Ebenezer Mason. New York: Robert Carter. 12mo. pp. 258.

A Sermon, Delivered before the Pastoral Association of Massachusetts, in Park Street Church, Boston, May 30, 1843. By Mark Hopkins, D. D., President of Williams College. Boston: Tappan and Dennet. 8vo. pp. 31.

Two Lectures, in Answer to the Inquiry "What is the True Construction of the Terms Priest, Altar, and Sacrifice, as used in the

Offices of the Church?" By J. P. K. Henshaw, D. D., Rector of St. Peter's Church, Baltimore. Baltimore: D. Brunner. 8vo. pp. 50.

The True Issue for the True Churchman. A Statement of Facts in Relation to the Recent Ordination in St. Stephen's Church, New York. By Drs. Smith and Anthon. New York: Harper and Brothers. 8vo. pp. 46.

The Preciousness of Christ to all who believe. By J. Thornton, Author of "Repentance Explained and Enforced." Boston: O. L. Perkins. 16mo. pp. 188.

Capital Punishment; a Discourse, occasioned by the Murder of the Late Warden of the Massachusetts State Prison, delivered in the Meeting House of the First Parish, Charlestown. By William J. Budington, Pastor of the Church. Boston: T. R. Marvin. 8vo. pp. 32.

"Puseyism No Popery." Boston: Dutton and Wentworth. 12mo. pp. 72.

A Letter to a Parishioner, relative to the Recent Ordination of Mr. Arthur Carey. By Benjamin J. Haight, A. M., Rector of All Saints' Church, New York. New York: James A. Sparks. 8vo. pp. 22.

Lessons on the Book of Proverbs, topically arranged, forming a System of Practical Ethics, for the Use of Sabbath Schools and Bible Classes. Boston: Tappan and Dennet. 12mo. pp. 107.

The Stability of the Church, as seen in her History and in her Principles. A Sermon preached in St. Peter's Church, Albany, on Sunday, the Twenty-Third Day of July. By the Rev. Horatio Potter, D. D., Rector of Said Church. Albany: Erastus H. Pease. 8vo. pp. 23.

A New and Complete History of the Holy Bible, as contained in the Old and New Testaments. With Copious Notes, Critical and Explanatory. Part I. The Old Testament History. By Robert Sears, Aided by the Writings of our most Celebrated Biblical Scholars. New York: R. Sears. 8vo. pp. 672.

A Sermon, Preached in King's Chapel, Aug. 6, 1843, the Sunday after the Funeral of the Rev. F. W. P. Greenwood, D. D. By N. L. Frothingham, Minister of the First Church. Boston: C. C. Little and James Brown. 8vo. pp. 27.

Letters to my Godchild. By the Rev. J. Swart, A. M., Missionary at Jordan and Montezuma, in the Diocese of Western New York. New York: D. Appleton and Co. 18mo. pp. 194.

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